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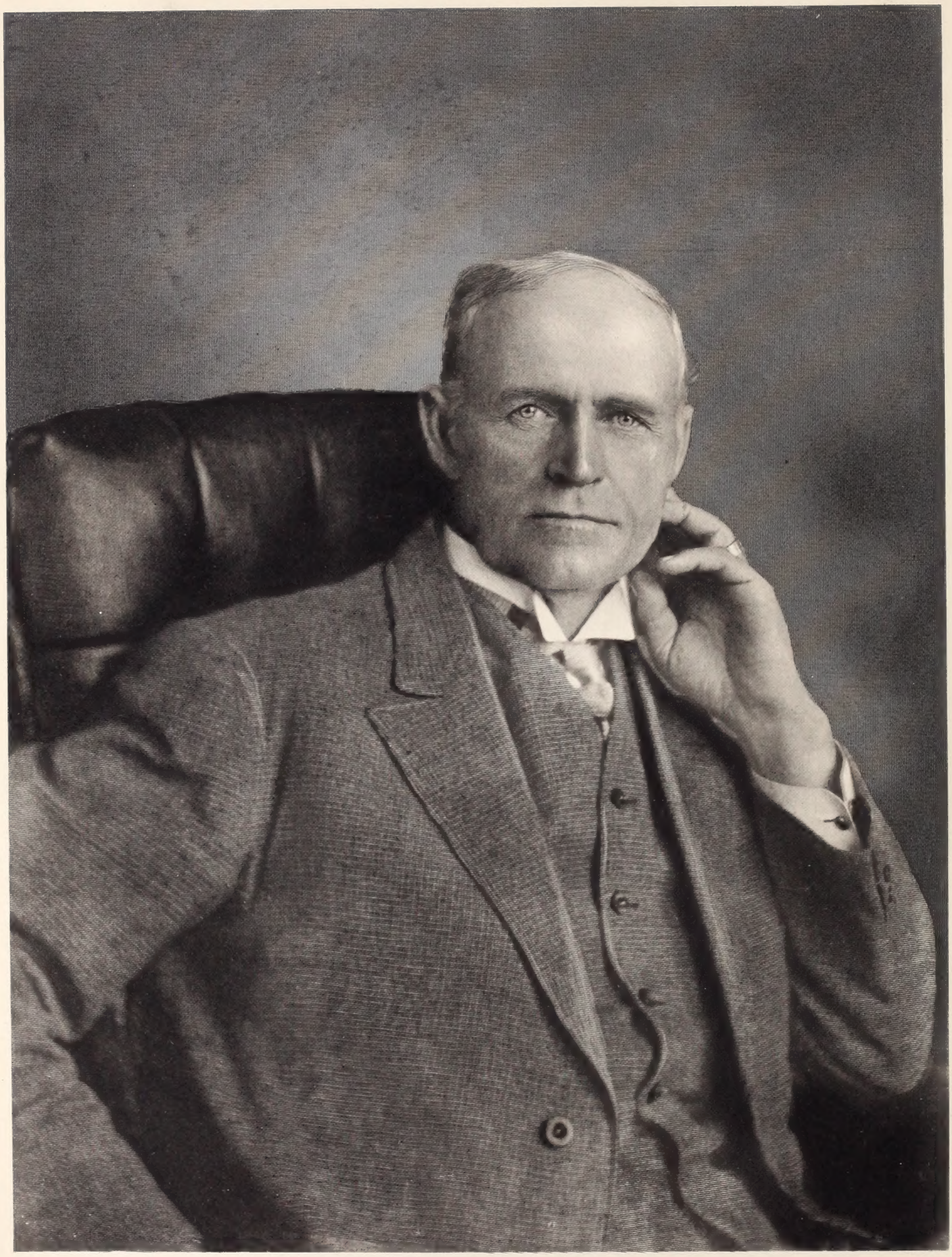

John D. Benedict

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MUSKOGEE

and

Northeastern Oklahoma

INCLUDING THE COUNTIES OF

Muskogee, McIntosh, Wagoner, Cherokee,
Sequoyah, Adair, Delaware, Mayes,
Rogers, Washington, Nowata,
Craig and Ottawa

BY

JOHN D. BENEDICT

VOLUME I

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FOREWORD

Events of historic interest have been taking place in and around Muskogee during the past hundred years, only broken and disconnected threads of which have been published. No other section of the state is so rich in historic lore. No other state has had a history similar to ours. No other locality has been converted so quickly from an Indian reservation into first class cities and farming communities.

During this period of rapid change and development, Muskogee, styled the Queen City of the Arkansas River Valley, has been, in fact, the capital of Indian Territory.

The old historic landmarks are fast giving place to modern structures; tribal institutions, laws and customs are being abolished; the old pioneers who were familiar with the past and who were prominent in the making of its history have already gone to their last, long resting places, and with them have doubtless been buried the recollection of numerous incidents of historic value. Their children and grandchildren are still living, however, and from them, as well as from the tribal and federal records, we have, we hope, gleaned a faithful, unvarnished history of Muskogee and the various sections of Northeastern Oklahoma.

We spend much time in studying ancient history but are inclined to forget that we are making history every day and are making it much more rapidly than in days of yore. Psychologists tell us that we gather nine-tenths of our knowledge through the eye. Inasmuch, therefore, as good pictures furnish much valuable information, this work has been supplied with many illustrations, both old and new, all of which have some connection with the historic story.

Being encouraged to undertake this task with the advice and assistance of a very competent advisory board, I will say, as did Thucydides of old: "I shall be content if those shall pronounce my history useful who desire to give a view of events as they really did happen."

JOHN D. BENEDICT.

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Courtesy of C. W. Turner

OKMULGEE, CAPITAL OF INDIAN TERRITORY, 1878

Annual General Council, delegates from thirty-four tribes, representing 10,000 Indians

Muskogee
and
Northeastern Oklahoma

CHAPTER I

INDIAN TERRITORY

A SKETCH OF ITS HISTORY AND NATURAL RESOURCES

GENERAL COUNCIL FOR INDIAN TERRITORY—NO MAN'S LAND—UNITED STATES COURT IN INDIAN TERRITORY—NATURAL RESOURCES.

That body of land formerly designated Indian Territory is located but a few miles south of the geographical center of the United States. It was a part of the Louisiana purchase by which the United States in 1804 acquired from France about nine hundred thousand square miles of land adjoining the Mississippi River on the west, for the sum of $15,000,000, or slightly more than two and one-half cents per acre.

This region was practically unknown at that time to the people of the United States and many New England citizens regarded it as a doubtful bargain. The Mississippi River was then regarded as the western boundary of civilization, and beyond the settlements at St. Louis and New Orleans, the whole region was thought to be but a barren waste, fit only for hunting grounds for the wandering bands of blood-thirsty Indians.

Andrew Jackson thought he was driving a good bargain for his friends in Georgia, Alabama and Tennessee when in 1834 he compelled the Five Tribes to surrender their possessions in those states in exchange for the unknown region afterwards called Indian Territory. If the leaders of the Indian tribes had

possessed the same shrewdness in trading that has characterized their white brother, they might have secured the whole of the Louisiana Purchase, which included practically all of the territory between the Mississippi River and the Rocky Mountains, lying north of Texas. In speaking of this exchange of land, a local Indian recently remarked that: "When the white man compelled our people to give up their eastern homes for this wild-west country, he thought he was handing us 'a pig in a poke,' but now that he sees we have a country rich in agriculture and minerals, he wants it back."

As late as 1894, members of Congress, while considering an appropriation to pay the expenses of surveying the lands of the Five Tribes, seemed to regard Indian Territory as a vast plain, apparently not knowing that nearly one-third of its surface is hilly and mountainous and more than one-half of it was covered with timber.

Prior to statehood in 1906, Indian Territory had no general government. Each of the five civilized tribes owned a part of the land, and each tribe had its own constitution, code of laws and corps of legislative, judicial and executive officials. For many years our school geographies named Tahlequah as the capital of the territory, but it has never been other than the capital of the Cherokee Nation. Each of the other tribes had its own capital.

GENERAL COUNCIL FOR INDIAN TERRITORY

For many years, various Federal officials urged the five tribes to agree to the establishment of a Territorial Council to be composed of delegates from each tribe empowered to enact legislation of a general character for the whole territory. The several tribes were inclined to regard the proposition with suspicion, apparently fearing that it might result in their losing some of their tribal rights and authority, or that it might be an attempt upon the part of the Government to cajole them into an agreement to abolish their tribal governments. The various tribes were finally induced to try the experiment, however, the Government agreeing to pay the expenses of delegates to an annual council to be held at Okmulgee, the capital of the Creek Nation. The first session was held in 1870, and the council continued to meet annually for several years thereafter without accomplishing any material results. Up

MOCCASIN ROCK, AGENCY HILL, MUSKOGEE

to 1875, the Government had paid out $66,500 as expenses of the delegates to the general council meetings, but during its five annual sessions not a single act of legislation was passed.

NO MAN'S LAND

The narrow strip of territory, which adjoined Kansas and Colorado on the south, commonly called "No Man's Land," has had a peculiar history. The map-makers attached it as a sort of handle to Indian Territory, because they did not know what else to do with it. Kansas did not claim it, Colorado did not want it, Oklahoma, not yet organized, could not control it, and the United States exercised but slight, if any, jurisdiction over it. This state of affairs made it an ideal rendezvous for the gamblers, bootleggers, cattle thieves and fugitives from justice. Many of them believed that neither state nor Nation had the authority to arrest any one on this neutral strip, and any deputy undertaking such a task was liable to die with his boots on.

But how did "No Man's Land" originate? When Texas was admitted into the Union in 1845, its northern boundary extended to the southern boundaries of Kansas and Colorado, which was the thirty-seventh degree of north latitude, but the Act of Congress known as the Missouri Compromise had declared that the slave territory could not extend farther north than 36½ degrees. Texas, of course, was a slave state and did not want any "free nigger" land within its boundaries, so it confined its northern boundary to the line of the Missouri Compromise, leaving out a strip one-half degree, or about thirty-five miles wide, which for many years thereafter, and until it became a part of Oklahoma, was designated "No Man's Land."

UNITED STATES COURT IN INDIAN TERRITORY

For many years prior to 1889 the United States District Court located at Fort Smith, Ark., had jurisdiction over the Indian Territory in cases where white men (non-citizens) were parties, both in civil and criminal cases, but it proved to be very unsatisfactory on account of the distance which litigants and witnesses were compelled to travel. Indians found it to be very burdensome and annoying to have to travel overland 100 miles and be

detained at Fort Smith for several days awaiting trial of the cases in which they were interested. As a result of this inconvenience many crimes went unpunished simply because the witnesses who were in possession of testimony would not let it be known, on account of their dread of having to make the trip to Fort Smith.

Finally, after repeated appeals to Congress had been made for relief from this embarrassing situation, Congress passed an act on March 1, 1889, providing for a district court in Indian Territory, to be located at Muskogee. This court was given jurisdiction over the whole of old Indian Territory, extending from Kansas to Texas and from Arkansas to New Mexico, in offenses against the laws of the United States, and in civil cases, between citizens of the United States residing in the territory and in all cases where persons outside of the territory were parties litigant, in which the amount involved was $100 or more.

By an act of Congress approved May 2, 1890, the Territory of Oklahoma was created out of the western half of Indian Territory. This act limited the jurisdiction of the court just mentioned to the territory occupied by the five civilized tribes. This act also divided this modified judicial district into three divisions, giving the court one or more commissioners for each division, with authority to solemnize marriages and try minor cases.

NATURAL RESOURCES

For general farming purposes, not many parts of the United States excel this section of the country. Grasses of various kinds grow abundantly and the short, mild winters make it possible to raise cattle, horses, sheep and hogs with but very little winter feeding. It not infrequently happens that live stock is allowed to remain on the range to "rustle" for a living throughout the entire year. Being located between the North and the South, the cotton of the South, and the corn, wheat, oats and barley of the North, are staple crops. Two crops of potatoes and six cuttings of alfalfa are produced every year. Fall plowing is usually carried on until December and spring planting begins in March and may continue for three months. The prolonged crop season enables the farmer to manage a larger acreage than his northern neighbor and also gives him time for a second planting, if, for any reason, his first planting should fail. In almost every neigh-

borhood, sufficient wood may be had for fuel and fencing, while some localities supply good saw-timber. The climate and certain soils are admirably adapted to the production of such fruits as apples, peaches, pears, plums, grapes and berries, and with the development of scientific fruit-culture, already begun, great improvement along this line is destined to result in the future. Heretofore, however, scientific fruit-culture has been sadly neglected, too many farmers thinking that they ought to be able to raise cattle and fruit on the same lot. Wild grapes grow abundantly in the forests, dewberries flourish on the prairies, and walnuts, hickory nuts, pecans and persimmons grow plentifully in the groves of timber. The ease with which the average farmer can make a living has had a tendency to retard development along agricultural lines, but with the state and Federal assistance that is now being given, agricultural conditions are improving.

The abundant mineral products of this section of the country will be described in another chapter.

CHAPTER II

EARLY HISTORY OF THE CHEROKEES

A SKETCH OF THEIR LIFE IN THEIR EASTERN HOME—DE SOTO ARRIVES —CHEROKEES IN SOUTH CAROLINA—OGLETHORPE—GENERAL WOOL AND THE CHEROKEES—ALABAMA PROTESTS AGAINST THE UNITED STATES INTERFERENCE WITH ITS CITIZENS—PROFESSOR ROYCE ON THE OLD-TIME CHEROKEE—CHEROKEE BAPTISM.

The Cherokees constituted a branch of the great family of Iroquois Indians, but at the time the white race made its appearance on the coast of America they had apparently become separated from the parent stock, had drifted to the southland, and had become a powerful, independent tribe of themselves. They were divided into seven clans, viz.: Aniwaya (wolf), Anikawi (deer), Anitsiskwa (bird), Aniwadi (paint), Anisahani, Anigatagewi and Anigahali, the English names of the last three being unknown. In 1730 they were estimated to be about twenty thousand in number, about six thousand of whom were classed as warriors. About that time they lost nearly one thousand of their warriors by a severe epidemic of small-pox.

DE SOTO ARRIVES

When De Soto, the Spanish explorer, was appointed governor of Cuba and Florida in 1539, by the King of Spain, he sailed at once for his newly discovered country and landed at Tampa Bay, on the coast of Florida, on the 25th day of May of that year. Soon after his arrival, with an army of 600 soldiers he started on a trip of exploration through the wild, unknown country to the north and west of Florida. He encountered many bands of Indians, some belonging to the Cherokee tribe, and his cruel treatment of them is a well known fact of history.

At that early period the Cherokees were in possession of nearly all of the Alleghany Mountain region in Southwestern Virginia, Western North Carolina and South Carolina, Northern Georgia, Eastern Tennessee and a portion of Northern Alabama.

In 1759 the Cherokees protested against the encroachments upon their territory by certain Englishmen and their Chief Oconostota, with a delegation of his warriors, visited the English governor of South Carolina, Littleton, for the purpose of entering into an agreement by which such encroachments could be prevented. Littleton treated the chief and his followers harshly and finally threw them into prison. When they were released and returned to their reservation, the Cherokees organized a raiding party and destroyed several English settlements in Carolina. The inhuman treatment accorded the Cherokee leaders by this English governor of Carolina, caused the Cherokees to take sides with the French in the French and Indian war which began in 1760.

When the English captured Montreal, September 8, 1760, many French soldiers retreated south to Louisiana, passing through the Cherokee Reservation. They courted the friendship of the Cherokees and encouraged them in their raids upon Carolina. General Amherst, who had captured Montreal, sent Colonel Montgomery, an officer of the English army, with a regiment of soldiers, to attack the Cherokees. Montgomery destroyed several Indian villages, but was finally repulsed by the Cherokees and retired to Charleston. During the next year, the English Colonel Grant was sent against the Indians with an increased force of soldiers. Grant's army killed a good many of the Indians, burned their villages and destroyed their crops, but as the French and Indian war soon ended, peace between the English and Indians was declared.

CHEROKEES IN SOUTH CAROLINA

For many years prior to this war several bands of Cherokees had held possession of a portion of South Carolina, adjoining the Broad and Saluda rivers, but they were soon compelled to relinquish possession thereof to the English settlers. Another cause of enmity between the early settlers of South Carolina and the Indians was due to the fact that certain colonists attempted to make slaves of the Indians.

OGLETHORPE

Another English project, which caused trouble for the Cherokees a century later, was that of James Oglethorpe, an English general, who, desiring to found a home for the unfortunates of England who were being thrown in jail under the insolvent debtors' law, secured a grant of land in 1732 from King George II, and formed a settlement, composed principally of the insolvents, which he called Savannah, giving his colony the name of Georgia, in honor of his king. Oglethorpe's charter contained a grant of the land lying between the Savannah and Altamaha rivers, land of which the Cherokees had been in possession for many years prior to the advent of the pale-face.

In 1739 Oglethorpe met the Cherokee and Creek Indians and made a treaty of peace with them and during his sojourn of fifteen years in Georgia that treaty was kept alive and its provisions were respected by both parties, but a century later the authorities of Georgia claimed the right to exercise control over a part of the Cherokee Reservation, by virtue of the provisions of Oglethorpe's charter.

On October 6, 1773, the seventeen-year-old son of Daniel Boone was killed in a skirmish with a band of Cherokees. Col. Richard Henderson, a North Carolina judge, and Boone, had formed the Transylvania Company with the ambitious design of colonizing all the land bounded by the Ohio, Kentucky and Cumberland rivers.

On March 17, 1775, Colonel Henderson, Nathaniel Hart and others concluded a treaty with the Cherokees at Wataga, by which, for the consideration of 1,000 English pounds, the Cherokees agreed to surrender their rights in and to the land between the three rivers mentioned as far east as the Cumberland Mountains. A few years later, however, Virginia refused to recognize this transaction by granting a tract twelve miles square, on the south side of the Ohio River, below the mouth of Green River, to other parties.

The Cherokees were among the first Indians to take steps toward adopting the white man's civilization and have made more progress along that line than any other Indian tribe. Their council began to enact laws for the government of its people as early as 1808.

In 1819 they established a sort of commission government, with

a standing committee of thirteen members chosen by popular election.

By 1820 they had a well-established system of jurisprudence, with judges chosen by the people.

In 1827 they adopted a constitution and immediately upon their removal to Indian Territory, they revised and readopted their constitution (1839) which has been regarded as one of the most remarkable documents of its kind in existence.

While it has been claimed that their advancement in civilization has been due, in large measure to their association with white men, yet the fact remains that very much of their progress has been the result of their own efforts in spite of their close proximity with their pale-face guardians.

President J. Q. Adams said: "We have been far more successful in the acquisition of their lands than in imparting to them the principles, or inspiring them with the spirit of civilization."

Thomas L. McKenney, commissoner of Indian affairs in 1825 made a special report to the secretary of war, Barbour, concerning the condition of the Cherokees, then in Georgia, in which he used the following language:

"The Cherokees on this side of the Mississippi River are in advance of all other tribes. It is truth we are in quest of, and facts are the best instruments for its development. Theory and all previously conceived opinions, which are adverse to Indian capacity and Indian improvement must give way to the stubborn demonstrations of such facts as David Brown discloses, even if there were no others; but there are many such."

David Brown had made a very favorable report upon the condition and progress of the Cherokees in their Georgian homes. At the time this correspondence was going on, President Monroe was endeavoring to persuade the Cherokees to surrender their eastern homes in exchange for the wild Indian Territory Reservation.

Bancroft, the historian, gives the following description of the eastern homes of the Cherokees:

"The mountaineers of aboriginal America were the Cherokees, who occupied the upper valley of the Tennessee River, as far west as Muscle Shoals and the highlands of Carolina, Georgia and Alabama, the most picturesque and most salubrious region east of the Mississippi. Their homes were encircled by blue hills rising be-

yond hills, of which the lofty peaks would kindle with the early light, and the overshadowing ridges envelop the valleys like a mass of clouds. There the rocky hills, rising in naked grandeur, defy the lightning and mock the loudest peals of the thunder-storm; there the gentle slopes are covered with magnolias and flowering forest trees, decorated with roving climbers, and ring with the perpetual note of the whip-poor-will; there the wholesome water gushes profusely from the earth in transparent springs; snow-white cascades glitter on the hillsides; and the rivers, shallow, but pleasant to the eye, rush through the narrow vales, which the abundant strawberry crimsons, and coppices of rhododendron and flaming azalea adorn. At the fall of the leaf the fruit of the hickory and the chestnut is thickly strewn on the ground. The fertile soil teems with luxuriant herbage, on which the roebuck fattens; the vivifying breeze is laden with fragrance; and daybreak is ever welcomed by the shrill cries of the social night-hawk and the liquid carols of the mocking-bird."

GENERAL WOOL AND THE CHEROKEES—ALABAMA PROTESTS AGAINST THE UNITED STATES INTERFERENCE WITH ITS CITIZENS

In 1836 when Brig.-Gen. John E. Wool of the United States Army was sent to the Cherokee Reservation in Georgia to protect the Indians and to persuade them to consent to go west, he found it necessary to check the stampede, which had already been started by the white men of Georgia and Alabama in their efforts to grab the Indians' lands. The legislature of Alabama protested against his interference with the white invasion, and the following official correspondence was had concerning the matter:

Headquarters, Army of E. T. and C. N.,
New Echota, August 27, 1836.

To the Acting Secretary of War, Washington:

Sir: I have the honor to acknowledge the receipt of your communication of the 13th instant, received yesterday on my way to this place from Ross's landing.

Your impressions are altogether erroneous as to the course I would pursue in relation to the Cherokees; no man can feel more kindly to these people than I do, and no man will go further to secure to them the benefits of the late treaty; but in doing this, it is necessary to be firm and decided, or you will convince them

that the Government is not serious in its intentions of having the treaty executed. A large majority are still under the delusion that the treaty will be modified, if not altogether rendered void; and John Ross, it would appear, is not without such hopes. The War Department does not understand these people and no man can understand them until he goes among them. For three weeks after my arrival at Athens, from the daily reports made to me, I was induced to believe that a large proportion of the nation was prepared to submit to the treaty and move West at the proper time; a few days at the mouth of Valley River convinced me I was mistaken. A few white men and some few half-breeds only could be found to advocate a submission to the treaty. This is not fiction but truth. The same remarks, although not to the same extent will apply to this section of the country; that is, at least, a large majority are opposed to the treaty and against removing to the West. What course, under such circumstances, would you pursue? Would you permit these people to remain until the period arrived for their removal before you undertake to convince them that you are serious and that a treaty has been made with them which must be executed? I would be just to these people but before they will allow me or any one else to be so, they must be convinced that a treaty has been made with them (which they disavow) and that within two years it must be fulfilled. How would you do this? Would you merely say to them that they shall not be molested or interfered with, if they will remain peaceably and quietly at their homes until the expiration of two years?

Such a course, I have no hesitation to say, would produce the same scenes which have just been exhibited in Florida and the Creek country. Not a man would be ready to move; nor will one of them, with some few exceptions, move without compulsion. If possible, that is, if the Government would avoid war, some four or five thousand people should be prevailed to go this Fall. If all remain, all should be required to preserve the peace of the country. Again, if we would serve and promote the interests of these people, we ought to use every honorable means to induce them to leave the country as soon as practicable. They are the prey of the white men; and if they remain in this country two years very few would have anything left to carry with them to the West; the white men would have debts against them sufficient to cover all that they would receive from the Government. It is in vain to say that

you would not pay these debts; the Indians would be claimed by the civil authorities of the several states in which they reside, under the expectation that the Government would pay these debts. I hope you do not understand me to say that I would hurry the people unnecessarily to the West, or that I would use harsh measures to force them out of the country. On the contrary I would convince them that they must go; and in the next place, I would endeavor to convince them that it was for their interest that a part should go this Fall. In the meantime, I would protect them in the full enjoyment of all the rights secured to them by the treaty; and above all I would prevent the white men from turning them out of doors and taking possession of their property, which has been done so often in this state. If such proceedings on the part of the Whites cannot be stopped, these people will be driven to a state of desperation, when the result may be learned by reading the history of the late Creek war. If the officer in command has no discretionary power over the white or red men, he ought not to remain here, for it would be utterly impossible for him to do his duty either towards the Government, the Indians or the white men residing in the Cherokee country.

I have the honor to be,

Very respectfully,

Your obedient servant,

JOHN E. WOOL,

Brig. Gen. Commanding.

Executive Department, Alabama,
Tuscaloosa, July 3, 1837.

To the Secretary of War:

Sir: I have the honor to forward herewith, a preamble and joint resolutions of the Senate and House of Representatives of the State of Alabama in General Assembly convened, in relation to certain transactions of the military force of the United States, employed in the Cherokee country within the limits of this state. I am not in possession of any order of General Wool or any of his subordinate officers referred to in the preamble or resolutions; but it is represented, in substance, that General Wool has assumed the power of adjudicating and determining the right of possession and ownership of land and improvements thereon and of dispossessing one claimant and supplanting him with another by

military force. Under one of these decisions, a contest has taken place in the County of Marshall, which resulted in the death of two individuals, certainly besides the most serious injury to others some of whom, it is feared, may yet die of their wounds.

Having addressed you on the 17th of April last in reference to another unwarrantable assumption of General Wool, and received your reply, under date the 25th of the same month, assuring me that you had despatched instructions to that officer not to infringe in any respect the rights of the citizens of Alabama and so to modify his order as not to conflict with the laws of this state, I was not prepared to expect another attempt on his part to usurp the powers of our civil tribunals, disturb the peace of the community, and trample on the rights of the very people with whose protection, to some extent at least, he must have considered himself charged. I feel assured the exercise of arbitrary power complained of has been without the sanction of your authority or that of the President; and to prevent any misunderstanding on the part of the citizens of this state, I have published our correspondence just alluded to. I trust, sir, that the necessary steps will be taken, at as early a moment as practicable to restrain all military officers in the service of the United States in the Cherokee country or elsewhere within our limits, from further infraction of our laws or outrage upon the rights of our citizens. It is also due to the violated sovereignty of the State of Alabama, that the conduct of General Wool, or any other officer of the United States who may have assumed such powers as I have mentioned should be promptly investigated and received condemnation.

C. C. Clay, Governor.

Headquarters of the Army,
Adjutant General's Office,
Washington, October 2, 1837.

General Orders Number 63:

1. The Court of Inquiry, instituted by direction of the President of the United States, whereof Brev. Maj. Gen. Winfield Scott is president and which convened on the 4th of September, 1837, at Knoxville, Tenn., pursuant to General Order No. 49 to examine into the transactions of Brevet Brigadier-General Wool, and others under his command, in reference to his and their conduct in the Cherokee country, so called, as set forth in a letter from his

excellency, the Governor of Alabama, dated July 3, 1837, addressed to the Secretary of War, and in the joint relations of the Senate and House of Representatives of that state has reported the following:

OPINION

The court after fully weighing and considering the whole of the testimony submitted in the case, are of opinion that not one of the imputations on the conduct of General Wool contained in the preamble to the joint resolutions of the legislature of Alabama, or the letter of his excellency Governor Clay to the War Department, which enclosed the said resolutions is founded in justice or in fact. It will be seen that on the application of the judge advocate to the executive of Alabama for documents and the names of witnesses to support the accusation against General Wool, the late governor (the honorable C. C. Clay) replies: "The only official information I ever received in reference to the conduct of General Wool will be found in the executive archives. I am not informed of the names of the witnesses to prove the charges against General Wool; but presume the officers who served under him in that part of the Cherokee nation lying in Alabama would be competent to prove the orders which were subject of complaint." And the acting governor (his excellency H. McVay) says: "Having caused an examination to be made, nothing can be found on file of this department which will enable me to furnish the information desired, nor am I able to comply with your request from other sources." Pursuing, however, the suggestions of the Hon. Mr. Clay that the officers who served under him (General Wool) in that part of the Cherokee Nation lying in Alabama, would be competent to prove the orders which were the subject of complaint, the Judge Advocate, principally at the instance of General Wool, summoned many witnesses, and the latter has also freely submitted to the court every paper in his power which would belong to the matter under investigation.

From the mass of this evidence, parol and documentary, it appears that in his conduct toward Alabama so far from disturbing the peace of the community, and trampling on the rights of the people, General Wool's acts were so strikingly marked by caution, temper and mildness, as to receive the almost universal approbation of the very people whom he is charged with having outraged.

Another and the principal accusation contained in the letter of Governor Clay to the War Department (evidently founded on the preamble of the said joint resolution) is that General Wool had usurped the powers of the tribunals of Alabama; and the said preamble sets forth that a company of volunteers in the service of the United States, under the command of (Brigadier) General Wool have been stationed in the country lately owned by the Cherokee Tribe of Indians in this state, for the pretended purpose of keeping peace between the said tribe of Indians and the citizens of the state, and have taken upon themselves the authority to adjudicate upon the claims of our citizens to their right to the possession of improvements; and in the enforcements of these adjudications have brought about a most ruinous and fatal conflict between our most worthy citizens, the consequences of which have already resulted in the taking of each others' lives. The case referred to has been most fully developed in the evidence, from which it appears that the Indian children of one John Gunter, deceased, through the sheriff (Riddle) of Jackson County, administrator ex officio under the orphans' court, claimed the possession of certain improvements, of which Nathaniel Steel, a white man, was in the actual occupancy; that on the application to that effect to General Wool by the sheriff administrator, General Wool decided the case with the previous approbation of the said Steel, giving the right of possession to a certain part of the improvements to the administrator, with which decision Steel expressed himself to be satisfied; that Captain Morrow, who commanded a volunteer company three or four miles off, received instructions from General Wool to put the administrator in possession of that part of the improvements adjudged to him; that Steel quietly, and without the application of military force, consented to give up the possession, and begin accordingly to evacuate the premises; upon which Captain Morrow, and the small detachment that was with him, withdrew to his camp, distant as aforesaid; and that the conflict which afterwards occurred was neither in the presence, nor at the moment, within the knowledge, of any officer or soldier in the service of the United States.

It is further in proof and in deed admitted by General Wool, that he decided many other claims, preferred by Indians, to improvements wrongfully possessed by citizens of the states; and it would appear that in all these cases his decisions were acquiesced

in, not only without conflict, but without complaint. The question now occurs: By what authority did General Wool take upon himself to give decisions on the class of cases just recited, and in doing so did he, as is solemnly charged from a high quarter, usurp the powers of the civil tribunals of Alabama? The sixteenth article of the treaty between the United States and the Cherokees ratified May 23, 1836, allows those Indians to remain in the country therein ceded to the United States, up to May 23, 1838, and the United States stipulates to protect and defend them (the said Indians) in their possessions and property, and the free use and occupation of the same. This treaty is repeatedly referred to in the instructions from time to time addressed to General Wool by the War Department, and once emphatically by President Jackson himself, in a letter to the same commanding officer, and in each case, as a rule of conduct for the latter. In this letter from the then President, and also that from the war office, October 12, 1836, General Wool is directed to consider the sixth article of the said treaty, which confers even a higher power on the commanding officer than the sixteenth, as applicable to the Cherokees whilst yet residing within the geographical limits of North Carolina, Georgia, Tennessee and Alabama, and consequently that he, General Wool, was, by the sixteenth article, fully invested with the inferior power of repossessing an Indian claimant of improvements wrongfully withheld by a white intruder not recognized by the Cherokees, as one of their people. Again the instrument agreed upon by the United States and the Cherokee Nation, and ratified by the Senate of the United States May 23, 1836, being called upon its face "a treaty," and repeatedly referred to as such by the President and Secretary of War, General Wool naturally considered it as such an instrument as spoken of in the second clause, article sixth, of the Constitution of the United States; that is as the supreme law of the land; and consequently believed himself under it and his instructions to possess the right as well as the power to do justice in the Cherokee country to Indian complainants, without usurping the power of the civil tribunals of Alabama or that of the tribunals of the other particular states mentioned. Without, however, pushing this view of the subject any further, which might be improper in a military tribunal, this court is of opinion that General Wool, in the acts recited and complained of, cannot be justly charged with having usurped powers belonging to the courts of Alabama.

In the letter of his excellency, Governor Clay, to the Secretary of War dated July 3, 1837, before the court, there is an incidental mention of another letter from the same to the same, complaining of other acts of General Wool, perhaps of the same or a similar character to those already noticed; but this letter not having been submitted to this court by the proper authority and its contents unknown, except by conjecture, no testimony has been taken and no opinion given here on its subject.

The attention of the court, in its order of appointment, has also been directed under his (General Wool's) command, in reference to the matters complained of; but the name of no other officer is given in that order or mentioned by the legislature or executive of Alabama in the papers from them submitted to the court. It has, however, been shown incidentally, by the evidence, that Captain Morrow, commanding a company of Tennessee volunteers in the temporary service of the United States, was the individual charged with the execution of General Wool's decision to the improvements of John Gunter, deceased, which were in the possession of Nathaniel Steel. In reference to this excellent officer (Captain Morrow) it is sufficient to say that he acted in strict conformity with the orders of his superior, and in such manner as to demand and receive the emphatic approbation of all the parties claiming those improvements, as may be seen in their respective letters to him, annexed to the proceedings of this court.

II. The President of the United States approves the proceedings in the foregoing case.

III. The Court of Inquiry of which Brevet Major General Scott is president is hereby dissolved.

By order of Alexander Macomb, major general commanding in chief.

R. Jones, Adjutant General.

PROFESSOR ROYCE ON THE OLD-TIME CHEROKEE

Professor C. C. Royce, the eminent Indian Historian, in his "History of the Cherokee Nation of Indians," published in the fifth report of the American Bureau of Ethnology, gives this excellent summary of that tribe of Indians:

"Their history has been an eventful one. For 200 years a contest involving their very existence as a people has been main-

tained by them against the unscrupulous rapacity of Anglo-Saxon civilization.

"By degrees they were driven from their ancestral domain to an inhospitable region. The country of their fathers was peculiarly dear to them. It embraced the head springs of many of the most important streams of the country. From the summit of their own Blue Ridge they could watch the tiny rivulets on either side of them dashing and bounding over their rocky beds in their eagerness to join and swell the ever increasing volume of waters rolling toward the Atlantic or Gulf. The Tennessee and Cumberland, the Kanawha and Kentucky, the Pedee and Santee, the Savannah, Altamaha and Alabama, all found their beginnings within the Cherokee domain. The bracing and invigorating atmosphere of their mountains was wafted to the valleys and lowlands of their more distant borders, tempering the heat and destroying the malaria. Much of their country was a succession of grand mountains clothed with dense forests; of beautiful but narrow valleys and extensive well-watered plains. Every nook and corner of this vast territory was endeared to them by some incident of hunter, warrior or domestic life. Over these hills and through the recesses of the dark forest, the Cherokee hunter had from time immemorial pursued the deer, elk and buffalo; through and over them he had passed on his long and vengeful journeys against the hated Iroquois and Shawnees. The blood of his ancestors as well as of his enemies could be trailed from the Hiwassee to the Ohio. The trophies of his skill and valor adorned the sides of wigwam and furnished the themes for his boastful oratory and song around the council fire and at the dance. His wants were few and purely of a physical nature. His life was devoted to the work of securing a sufficiency of food and the punishment of his enemies.

"His reputation among his fellowmen was proportioned to the skill with which he could draw the bow, his cleverness and agility in their simple athletic sports, or the keen and tireless manner that characterized his pursuit of an enemy's trail. His life was simple, his wants easily supplied; and in consequence the largest measure of his existence was spent in indolence and frivolous amusement. Such proportion of the family food as the chase did not supply was found in cultivation of Indian corn. The pride of a warrior scorned the performance of manual labor and to the squaw was this drudgery as well as that of the household assigned.

His general character has been much misunderstood and much misrepresented. He was, in fact, possessed of great ingenuity, keen wit and rare cunning. In the consideration of matters of public importance his conduct was characterized by a grave dignity that was frequently almost ludicrous. The studied stolidity of his countenance gave the spectator no clue to the inward bent of his feelings or determination. The anxious prisoner, from a watchful study of his face and actions, could read nothing of his probable fate. He was physically brave and would, without hesitancy, attack the most dangerous beast of the forests or his still more ferocious human enemies. In the hands of these enemies he would endure with the most unflinching nerve, the cruelest tortures their ingenuity could devise and at the same time chant his death song in the recital of his numerous personal acts of triumph over them. His methods of warfare were, however, very different from those which meet the approval of civilized nations. He could not understand that there was anything of merit in meeting his antagonist in open field where the chances of victory were nearly equal. It was a useless risk of his life, even though his numbers exceeded those of his enemy, to allow them to become advised of his approach. His movements were stealthy and his blows fell at an unexpected moment from the hidden ambush or in the dead hours of the night.

"His nature was cruel and in the excitement of battle that cruelty was clothed in the most terrible form. He was in the highest degree vindictive and his memory never lost sight of a personal injury. He was inclined to be credulous until once deceived, after which nothing could remove his jealous distrust. His confidence once fully secured, however, the unselfishness of his friendship as a rule would put to shame that of his more civilized Anglo-Saxon brother. His scrupulous honor in the payment of a just debt was of a character not always emulated among commercial nations. His noble qualities have not been granted the general recognition they deserve and his ignoble traits have oftentimes been glossed over with the varnish of an unhealthy sentimentality. For many years following his first contact with the Whites, the daily life of the Cherokee underwent but little change. The remoteness of his villages from the coast settlements and the intervening territory of other tribes limited in large degree any frequency of association with his white neighbors. In spite of this

restricted intercourse, however, the superior comforts and luxuries of civilization were early apparent to him. His new-found desires met with a ready supply through the enterprising cupidity of the fur traders. At the same time and through the same means he was brought to a knowledge of the uses and comforts of calico and blankets and the devastating though seductive influence of spirituous liquors. Yet nothing occurred to mar the peace hitherto existing with his white neighbors until their continued spread and seemingly insatiate demand for more territory aroused a feeling of jealous fear in his bosom. This awakening to the perils of his situation was, unfortunately for him, too late. The strength of the invaders already surpassed his own and henceforth it was but a struggle against fate.

"Prior to the close of the Revolutionary war but little if anything had been done toward encouraging the Cherokee to adopt the customs and pursuits of civilized life. His native forests and streams had afforded him a sufficiency of flesh, fish and skins to supply all his reasonable wants. Immediately upon the establishment of American independence the policy to be pursued by the government in its relations with the Indian tribes became the subject of grave consideration. The necessity began to be apparent of teaching the proximate tribes to cultivate the soil as a substitute for the livelihood hitherto gained from the now rapidly diminishing supplies of game.

"In the report of the commissioners appointed to negotiate the treaty of 1785, being the first treaty concluded between the Cherokees and the United States, they remark that some of the compensation should be made to the Indians for certain of their lands unlawfully taken possession of by the whites, and that the sum so raised should be appropriated to the purpose of teaching them useful branches of mechanics. Furthermore, that some of their women had lately learned to spin and many others were very desirous that some method should be fallen on, to teach them to raise flax, cotton and wool, as well as to spin and weave it.

"Six years later, in the conclusion of the second treaty with them, it was agreed in order 'that the Cherokee Nation may be led to a greater degree of civilization and to become herders and cultivators, instead of remaining in a state of hunters, the United States will, from time to time, furnish gratuitously, the said nation with useful implements of husbandry.'

"From this time forward the progress of the Cherokees in civilization and enlightenment was rapid and continuous. They had made such advancement, that, thirty years later, R. J. Meigs, their long-time agent and friend, represented to the Secretary of War that such government assistance was no longer necessary or desirable; that the Cherokees were perfectly competent to take care of themselves and that further contributions to their support only had a tendency to encourage idleness and dependence upon the government.

"Their country was specially adapted to stock-raising and their flocks and herds increased in proportion to the zeal and industry of the owners. The proceeds of their surplus cotton placed within their reach most of the comforts and many of the luxuries of life.

"The unselfish devotion of the missionary societies had furnished them with religious and school instruction, of which they had, in large numbers, availed themselves.

"From the crude tribal government of the eighteenth century they had gradually progressed until, in the month of July, 1827, a convention of duly elected delegates from the eight several districts into which their country was divided (Chickamauga, Chatooga, Coosawatee, Amohee, Hickory Log, Etowah, Tagnoe and Aquohee), assembled at New Echota and announced that 'WE DO ORDAIN AND ESTABLISH THIS CONSTITUTION FOR THE GOVERNMENT OF THE CHEROKEE NATION.' Under this constitution elections were regularly held and the functions of government administered until the year 1830, when the hostile legislation of Georgia practically paralyzed and suspended their further operations. Although forbidden by the authorities of Georgia to hold any further elections, they retained a semblance of their republican form of government by tacitly permitting their last elected officers to hold over, and by recognizing the authority and validity of their official actions.

"This embarrassing condition of affairs continued until their removal west of the Mississippi River, when, on September 6, 1839, they, in conjunction with the 'Old Settlers,' adopted a new constitution which, in substance, was a duplicate of its predecessor.

"This removal turned the Cherokees back in the calendar of progress and civilization at least a quarter of a century. The

hardships and exposures of the journey, coupled with the fevers and malaria of a radically different climate, cost the lives of perhaps 10 per cent of their total population. The animosities and turbulence born of the treaty of 1835 not only occasioned the loss of many lives, but rendered property insecure, and in consequence, diminished the zeal and industry of the entire community in its accumulation.

"A brief period of comparative quiet, however, was again characterized by an advance toward a higher civilization. Five years from the date of their removal, we find from the report of their agent that they were again on the increase in population; that their homes, farms and fixtures had greatly improved; that in general they were living in double cabins and evincing an increasing disposition to provide for the future; that they had in operation eleven schools, superintended by a native Cherokee, in which were taught reading, writing, arithmetic, bookkeeping, grammar, geography and history, which were entirely supported at the expense of their own national funds; that the churches were largely attended and liberally supported; that they maintained a printing press from which publications were issued in both the Cherokee and English tongues; that some of them manifested a decided taste for literature, a few having well-selected libraries; that thousands of them could speak and write the English language with fluency and comparative accuracy; that hundreds could draw up contracts, deeds and other instruments of writing for the transfer of property; and that in the ordinary transactions of life, especially in making bargains, they are shrewd and intelligent, frequently evincing a remarkable degree of craft and accommodation; that their treatment of their women had undergone a radical change, and that instead of regarding a woman as a slave and a beast of burden, she was recognized as a friend and companion.

"But the events of the Civil war brought them more of desolation and ruin than perhaps to any other community. Raided alternately not only by the Confederate and Union forces, but by the vindictive ferocity and hate of their own factional divisions, their country became a blackened and desolate waste. Driven from their homes, exposed to want and misery and the elements, they perished like sheep in a snowstorm."

CHEROKEE BAPTISM

Among the novel religious ceremonies practiced by the Cherokees in the olden time was that pertaining to the baptism of their children. During the first year of the life of a child it was named or christened by friends in the following manner: Friends or god-parents would go to the home of the child for four successive mornings and seat themselves before sunrise on the ground in front of the house. The child would be brought out to them and each visitor would hold it for a moment. If the child were a boy, its god-father would repeat a ceremonial speech while holding it, and would pass his hands across the limbs of the child and hold it aloft in order that the first rays of the morning sun might strike it, then he would give it a name by which it was to be known throughout life. If the child were a girl, the god-mother would proceed with the same ceremony, and in addition thereto, would hold up a string of beads to receive the rays of the sun, the beads being then placed around the child's neck. Gifts of food, clothing and ornaments were then presented by the god-parents, who thereafter manifested as much interest in the welfare of the children as their own parents.

The parents were expected to perform the same ceremony when children were born to the god-parents of their child. In most cases an unusual or peculiar event occurring just before the christening, or some physical peculiarity would suggest a name for the child. Among certain clans a rule prevailed which prohibited any child from mentioning its own name until it had arrived at a marriageable age. The violation of this rule betokened bad luck for the guilty child.

CHAPTER III

CHEROKEE TREATIES

INCIDENTS OF CHEROKEE LIFE IN GEORGIA—FIRST TREATY—OTHER TREATIES UP TO FIFTEENTH—CHIEF JOHN ROSS' MESSAGE—GOVERNOR DEFIES U. S. AUTHORITIES—JUDGE HOOPER ISSUES AN INJUNCTION—ADDRESS OF CHIEF WILLIAM ROSS.

On the 20th day of November, 1785, while the American colonists were still operating under the defective Articles of Confederation, the First Treaty was concluded with the Cherokees, known as the Hopewell Treaty. This treaty was made by and between Benjamin Hawkins, Andrew Pickens, Joseph Martin and Lachlan McIntosh, commissioners representing the Colonies, and the headsmen and warriors of all the Cherokees, thirty-seven in number.

Article I provided that the Cherokees should restore to the Colonists all prisoners and property taken by them during the Revolutionary war.

Article II provided that the Colonists should restore to the Cherokees all Indians taken as prisoners of war.

Article III provided that all Cherokees were to be under the protection of the United States and of no other sovereign.

Article IV described the lands granted to the Cherokees for their hunting grounds as follows: Beginning at the mouth of Duck River, on the Tennessee, thence running northeast to the ridge dividing the waters running into the Cumberland from those running into the Tennessee; thence easterly along said ridge to a northeast line to be run, which shall strike the Cumberland forty miles above Nashville; thence along said line to the river; thence up said river to the ford where the Kentucky road crosses the river; thence to Campbell's line to Cumberland gap; thence to the mouth of Claud's Creek on Holston; thence to the Chimney Top

Mountain; thence to Camp Creek, near the mouth of Big Limestone, on Nolichuckey; thence in a southerly course six miles to a mountain; thence south to the North Carolina line; thence to the South Carolina Indian boundary, and along the same southwest over the top of the Oconee Mountain till it shall strike Tugaloo River; thence a direct line to the top of the Currahee Mountain; thence to the head of the south fork of Oconee River.

Article V provided that no citizen of the United States should settle upon lands reserved for the Indians.

Article VI provided that any Indian committing a robbery, murder or other capital crime against a citizen of the United States should be delivered up for punishment.

Article VII provided that any citizen of the United States, guilty of any such crime against an Indian, should be punished in the same manner.

Article VIII provided that no innocent person shall be punished by either party by way of retaliation.

Article IX provided that the United States shall have the right to regulate trade with the Indians.

Article X provided that United States citizens should be protected while trading with the Indians.

Article XI provided that the Cherokees shall notify the citizens of the United States of any danger or trouble threatened by any other person or neighboring tribe.

Article XII permitted the Cherokees to send a deputy to Congress whenever they saw fit to do so.

Article XIII pledged that the hatchet should be forever buried and that peace and friendship should be restored between the parties to the treaty.

The Second Cherokee Treaty was made on the second day of July, 1791, by William Blount, governor of the territory south of the Ohio River, and forty-three Cherokee chiefs and warriors.

This treaty, executed at the Treaty Ground, on the bank of the Holston, reaffirmed the main provisions of the first treaty, but redefined the boundaries of the Indian reservation, relinquishing to the United States that portion of land lying east of Currahee Mountain. For this relinquishment the United States agreed to deliver "certain valuable goods" to the Indians and to pay them, annually, the sum of $1,000, which annuity was increased to $1,500 by Henry Knox, Secretary of War, on February 17, 1792.

One significant provision of this treaty is found in Article XIV, which provides:

"That the Cherokee Nation may be led to a greater degree of civilization and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will from time to time furnish gratuitously the said nation with useful implements of husbandry."

Some dissatisfaction arose among the Indians concerning the provisions of this treaty.

The Indians began to see their hunting grounds slipping away from them, and as they were not familiar with the boundaries of the new reservation, they were frequently found hunting outside of its boundaries.

White settlers nearby made complaint to the effect that some of their horses were being stolen.

In order to settle these complaints and misunderstandings, the Third Treaty was concluded between Secretary Knox and the Cherokee chiefs and warriors on the bank of the Holston River, on June 26, 1794, by which the United States government agreed to pay the Cherokees, with goods suitable to their use, of the value of $5,000 per annum, in lieu of all former promises to pay, and the Cherokees agreed to pay $50 for every horse stolen by any Cherokee from any white settler.

This treaty also provided that the boundaries of the present reservation should be ascertained and marked by three persons appointed by the government and three Cherokees.

This survey was not made until three years later, and in the meantime, white settlers kept encroaching on the lands claimed by the Indians, and the Indians frequently extended their hunting trips beyond the supposed limits of their reservation.

As these encroachments were causing bitter strife and threatened bloodshed, a Fourth Treaty was negotiated on October 2, 1798, in the Council House on Cherokee ground, near Tellico. By the terms of this treaty the Cherokees ceded another slice of their reservation on the north and east, upon certain portions of which white people had already settled and had begun to develop farms and villages.

The United States agreed to pay to the Cherokees as consideration for the land ceded herein, the sum of $5,000 in goods, wares

and merchandise, and to add to the annuities heretofore given, the sum of $1,000.

This treaty also provided that the United States would continue the guarantee to the Cherokees of "the remainder of their country forever."

The fertile valleys of the Tennessee River and its tributaries continued to be coveted by white settlers and in many instances they built cabins and cultivated various tracts of land inside the limits of the reservation without legal right or title, which encroachments naturally fostered friction between the two races.

The white intruders excused or condoned their acts of trespass by claiming that the Indians were not cultivating the lands, but the Indians saw in such cultivation the gradual destruction of their hunting grounds.

Their Fifth Treaty was negotiated at Tellico on October 5, 1805, by which the Cherokees were induced to give up that portion of their reservation lying north of Duck River, a tributary of the Tennessee River, for a consideration of $14,000 in cash or merchandise and an annual sum of $3,000.

Two days later, a supplemental (Sixth Treaty) was made between the same parties, by which a section of land near the present site of Kingston, Roane County, Tennessee, was ceded to the United States government, it being represented to the Cherokees that the Colonists desired to establish their state or territorial capital at this point, the Government having already established a garrison at Southwest Point, adjoining Kingston. For this relinquishment the United States agreed to pay the Cherokees the sum of $1,600.

By this supplemental treaty the Cherokees agreed that the United States government should have the free and unmolested use of a road from Tellico to Tombigbee, this road being a part of the mail route from Knoxville to New Orleans.

On January 7, 1806, the chiefs and head men of the Cherokees were called to Washington, D. C., where they entered into their Seventh Treaty, by which they gave up another tract of land on the north of Tennessee River, for which they were to receive the sum of $10,000, payable in five equal annual installments and the old Cherokee Chief, Black Fox, was to receive a life pension of $100 per year. This treaty also provided that the United States should build a grist mill and a cotton gin for the Cherokees and

should endeavor to settle a dispute which had arisen between the Cherokees and Chickasaws concerning boundary lines between the reservations of those two tribes, south of the Tennessee River.

On September 11, 1807, by the terms of their Seventh Treaty, made with Black Fox, the government adjusted the differences between the Cherokees and Chickasaws, referred to in their Sixth Treaty, and the Cherokees relinquished all claims to the tract of land lying between the Tennessee River and Tennessee Ridge, for the consideration of $2,000.

On March 22, 1816, two treaties (the Eighth and Ninth) were concluded at the City of Washington. The Eighth Treaty, after reciting that the Governor of the State of South Carolina had appealed to the President of the United States to extinguish the claim of the Cherokees to their lands in that state, provides for quitclaiming the South Carolina lands, upon the payment of $5,000 to the Cherokees by the State of South Carolina.

The Ninth Treaty, bearing same date as last above, settled a dispute concerning boundary lines between the Cherokee and Creek reservations in the vicinity of the Coosa River. An interesting provision of this treaty is contained in Article V, which provides that the United States should pay to individual Cherokees the sum of $25,500 for losses sustained by them in consequence of the march of the militia and other troops in the service of the United States through that nation during the second war with England.

Other events which occurred during that decade, but for which the Cherokees were not responsible, tended toward widening the breach between the white and red races. As the tide of emigration began to pour down the western slope of the Alleghanies and possess the rich valleys of the Ohio River and its tributaries, Tecumseh (or Tecumtha), an influential Shawnee chief, undertook to unite the Northern and Southern tribes in a war against the whites. He succeeded in getting a good many Creeks and some of the other Southern tribes to join his insurrection, but received but slight assistance and encouragement from the Cherokees. Just at this time the second war with England (1812) was declared, and Tecumseh, with many of his followers, joined the British army. They killed many whites in the new settlements, but were finally subdued and Tecumseh was killed in the battle of the Thames, in Canada. These rebellious acts of Tecumseh and his hostile fol-

lowers did much toward increasing the already growing feeling of enmity of the whites toward the whole Indian race.

Soon after this war was terminated, many immigrants from various European countries came to America, and joined the New Englanders in the first great rush for homes in the Mississippi Valley. McMaster's History, in describing this period of our country's growth, says:

"All the great highways to the West were crowded with bands of emigrants. In nine days 260 wagons, bound for the West, passed through one New York town. At Easton, Pa., 511 wagons, containing 3,066 persons, passed in a month."

As a result of this exciting rush for land and homes the Indians' hunting grounds became dotted with the log cabins of the newcomers, regardless of treaty rights or law.

The frequency with which the government was called upon to negotiate treaties with the Cherokees during the early part of the nineteenth century furnishes evidence of the unsettled condition of affairs in our country during that period.

On the south and west of the Cherokee reservation were other tribes of Indians, not very friendly and not satisfied with their condition, while on the north and east the white pioneers were continually coveting the fertile valleys of their hunting grounds. Every treaty meant a loss of territory for the Indians and a constantly increasing influx of white population.

The impartial student of that period of our history cannot fail to be impressed by the remarkable degree of patience and stoicism manifested by the Cherokee people, as they saw their favorite hunting grounds being gradually destroyed by the white man's fences and plows.

The ink with which the signatures to the Eighth and Ninth treaties were inscribed, had scarcely dried when a misunderstanding arose as to the Cherokee's western boundary, and Gen. Andrew Jackson and two other commissioners were sent by President Madison to negotiate Treaty Number Ten. Jackson met the Cherokee delegates at the Chickasaw Council House on September 14, 1816, and concluded this treaty, which was ratified by the whole Cherokee Nation at Turkey Town, on the fourth day of the following month.

By the terms of this treaty the Cherokees relinquished their claim to a good-sized tract of land along the western and southern

sides of their reservation, including portions of the fertile valleys of Well's Creek, Black Warrior Creek and Coosa River, for the consideration of an annuity of $6,000 to continue for ten years and an immediate cash payment of $5,000.

General Jackson had just returned from his victory over the British at the Battle of New Orleans. He had also recently driven the Spaniards out of Pensacola, Fla., and had defeated the Creeks in a brutal skirmish down in Alabama.

His reputation as a warrior, therefore, caused the Indians to regard him with feelings of awe and fear.

The constant, never-ending encroachment of the white settlers upon the Cherokees' reservation, had, by this time caused a division among the Cherokees themselves. Some of them who had already developed farms wanted to adopt the white man's civilization, while others, mainly of the full-blood element, wanted to retain their hunting grounds and continue their old style of living.

During the latter part of the year, 1808, both of these factions sent delegates to Washington to make their wishes known to President Jefferson. What were known as Upper Cherokees represented that they were desirous of engaging in the pursuits of agriculture and civilized life in the country which they were then occupying, but that as the Lower Cherokees would not agree to do this they asked that the reservation be divided, giving them (the Upper Cherokees) the land north of the Hiwassee River, and allowing them to form a government and adopt their own laws.

The delegates from the Lower Towns expressed their desire to continue their old customs and habits of living, but as their wild game and hunting grounds were rapidly disappearing, they were willing to exchange their lands for territory beyond the Mississippi River where game was more plentiful and pale faces fewer.

President Jefferson informed them that the United States Government was friendly to both factions. He told them that those who desired to remain where they then lived, would be protected and assisted.

He also told them that those who were dissatisfied with their present surroundings might send an exploring party up the White and Arkansas rivers and that if they could find a desirable tract of land not claimed by other Indians, he would give it to them in exchange for their old reservation.

A delegation, soon afterward, explored the Arkansas River

country and reported that they had found a suitable tract which was not claimed by any other Indians, and on July 8, 1817, the chiefs, head men and warriors again met Gen. Andrew Jackson and two other United States commissioners at the Cherokee Agency and negotiated their Eleventh Treaty, by the terms of which the Indians ceded a large portion of their rapidly disappearing reservation east of the Mississippi in exchange for an equal number of acres out in the White and Arkansas rivers country. The United States authorities promised to furnish flat-bottomed boats and provisions to all Indians who desired to emigrate, and to pay a reasonable sum to those who had made valuable improvements on the lands which they were abandoning. This treaty also provided that each head of a family that chose to remain upon their old reservation and accept United States citizenship should receive a square mile of land.

The Federal authorities were, as usual, dilatory in executing some of the provisions of this treaty, such as causing a survey of the land to be made and a census of the Indians taken, all of which tended to aggravate rather than to quiet the feelings of unrest, uncertainty and dissatisfaction which prevailed quite generally, and in an effort to adjust these differences and misunderstandings, John C. Calhoun, Secretary of War, summoned the Cherokee chiefs and head men to Washington, where, on the 27th day of February, 1819, their Twelfth Treaty was made. This treaty purported to define more clearly the boundaries of the land already ceded and also provided that certain tracts should be sold and the proceeds thereof held in trust by the government as a school fund for the Cherokees who remained on the east side of the Mississippi River.

The white man's greed for Indian lands continued to manifest itself in the Thirteenth Treaty, which was made at Tellico on October 24, 1804, but which, it appears, was not finally proclaimed until May 17, 1824. By this treaty the Cherokees relinquished title to a small tract of land adjoining the northern boundary of Georgia, known as Wafford's settlement.

For this tract, which appears to have been already partially settled by whites, the Cherokees were to receive $5,000 and an annuity of $1,000.

Some of the Cherokee emigrants, attracted by the fertile valley of the White River in the Territory of Arkansas, stopped there,

on the western pilgrimage, and began to build homes and develop farms, as their Eleventh treaty had provided they should be permitted to do, but numerous white settlers also coveted those beautiful valleys, resulting again in serious friction between the two races, and the chiefs and head men of the Western Cherokees were called to Washington, where, on the 6th day of May, 1828, their Fourteenth Treaty was concluded, which treaty, as its preamble recites, was made necessary in order that the Cherokees might "free themselves and their posterity from an embarrassing connection with the Territory of Arkansas and guard themselves from such connections in future."

This treaty defined the boundary line between Arkansas and the Indian reservations on the west and solemnly pledged to the Cherokees 7,000,000 acres of land in their new reservation adjoining Arkansas.

It is interesting to note that this treaty recites "that the United States anxiously desires to secure to the Cherokees a permanent home which shall, under the solemn guarantee of the United States, be and remain theirs forever—a home that shall never, in all future time, be embarrassed by having extended around it the lines, or placed over it the jurisdiction of a territory or state, nor be pressed upon by the extension, in any way, of any of the limits of any existing territory or state."

The United States agreed to pay for the improvements which the Indians had made on lands in Arkansas and to pay the Cherokee Nation various sums, amounting in all, to about one hundred thousand dollars, for the surrender of their claims to land in Arkansas Territory. This treaty reserved to the use of the United States a tract two miles wide and six miles long, for military purposes at Fort Gibson.

Soon after the Cherokees began to settle upon their new reservation in Indian Territory a dispute arose between them and the Creeks, as to boundary lines, the Creeks claiming that this last Cherokee treaty included some lands which had been previously included in their reservation.

In order to settle this dispute between the two tribes, the Fifteenth Cherokee Treaty was concluded at Fort Gibson on February 14, 1833, by which the Cherokees agreed to relinquish to the Creeks a small part of their new reservation on the west. In consideration of this relinquishment the United States agreed to

erect and equip four blacksmith shops, one wagon-maker shop, one wheelwright shop and eight patent railway corn mills for the Cherokees.

Although several of the foregoing treaties provided that those Cherokees who did not desire to emigrate to their new western reservation, should have the right to retain their old homes in Georgia and would be entitled to the protection of the United States, yet those who chose to remain were constantly harassed by the white settlers who persisted in trespassing upon their lands. The State of Georgia, instead of respecting the treaty rights of the Cherokees, passed laws in direct conflict with many of the provisions of the treaties solemnly made by the United States authorities.

In 1828 the Legislature of Georgia enacted a law by which certain portions of the Cherokee reservation were added to the adjoining counties and made subject to the laws of the state.

In 1829 another act of the Legislature annexed certain other portions of the Indian reservation to various counties of the state and attempted to annul the laws and ordinances of the Cherokees therein.

In 1830 the Legislature of Georgia enacted a law providing for the survey and distribution of certain parts of the reservation to white citizens, and also purporting to take possession of the gold and silver mines belonging to the Cherokees.

During John Quincy Adams' administration (1825-1829) arose one of the first bitter "States Rights" contests which, a third of a century later culminated in the Civil war.

President Adams believed that the solemn pledges made by the Government in its various treaties with the Indians, wherein the United States guaranteed that the Indians should not be molested by the whites, but should be protected in the enjoyment of their rights and privileges on their reservation were binding upon the Federal government, but the Legislature of Georgia, under the leadership of Governor Troup, contended that the state had the right to enact its own laws, free from Federal dictation. The governor resented what he termed "Federal usurpation of the constitutional rights of a state."

Among other obnoxious laws enacted by the Legislature of Georgia was one which required that every white man who resided among the Indians should take an oath of allegiance to Georgia.

Under this law several missionaries, including Doctors Worcester* and Butler, were sentenced to serve terms in the state penitentiary.

Thousands of petitions were circulated, signed and sent to Congress by friends of the Indians throughout the North, protesting against the inhuman treatment of the Indians by the authorities of Georgia. The bill introduced in Congress in 1830 providing for the removal of the Indians to the territory west of the Mississippi occasioned much acrimonious debate, which involved, to a great extent the doctrine of states' rights.

In defense of the laws passed by the Legislature of Georgia, a congressman from that state, in a speech in the House of Representatives at Washington, used this language:

"Georgia, sir, is one of the good old thirteen states. She entered the Union upon an equal footing with any of her sisters. She claims no superiority but contends for equality. That sovereignty which she concedes to all the rest, and would at any time unite with them in defending against all encroachment, she will maintain for herself. Our social compact, upon which we stand as a state, gives you the metes and bounds of our sovereignty; and within the limits therein defined and pointed out, our state claims entire and complete jurisdiction over soil and population, regardless of complexion.

"Pages may be filled with the sublimated cant of the day, and in wailing over the departure of the Cherokees from the bones of their forefathers. But if the heads of these pretended mourners were waters, and their eyes were fountains of tears, and they were to spend days and years in weeping over the departure of the Cherokees from Georgia, yet they will go. The tide of emigration with the Indians, as well as the whites, directs its course westwardly."

When the Cherokees appealed to the United States Supreme Court to enjoin the State of Georgia from extending its laws over the Indian reservation, the governor of Georgia made the following recommendation in one of his messages to his Legislature:

"The Legislature has an unquestionable right to make it a highly penal crime for any citizen or inhabitant of the state to advise, aid or counsel in any measure, or issue or serve any process, which shall bring in question before any tribunal of this state,

*Note: Dr. Worcester was the grandfather of Miss Alice Robertson, present member of Congress from the Second District of Oklahoma.

or of the United States, our rights of sovereignty and jurisdiction over our entire population and territory."

When Governor Wilson Lumpkin of Georgia learned that President Andrew Jackson would not agree to the enforcement of the act of the Legislature of Georgia which proposed to survey a portion of the Cherokee reservation and arbitrarily sell it to white settlers he wrote the following letter to the President on November 1, 1831:

"A crisis has arrived in our political affairs, in the Cherokee portion of Georgia, which cannot remain in its present attitude. A remedy must be applied. This subject is not only one of vital importance to Georgia, but your character, mine, and our common country are, and will be, deeply involved. Your opinions, private and public, will be venerated by me as coming from a father. The extension of our state laws and jurisdiction over the Cherokees has evinced the great difficulty of administering justice to a people circumstanced as the Indians are. A few thousand persons dispersed over a territory of 5,000,000 acres of land, abounding in rich gold mines; the people indisposed and incompetent to aid in the administration of the law, presents an anomaly in the history of the world. Any laws which may be devised for the Government of this country in its present situation, to be efficient, must partake largely of a military character, and consequently be more absolute and despotic than would be admissible or necessary, in a country affording the materials for the administration of civil justice.

"The state cannot, with honor or justice to herself, retreat from any of the ground she has taken. To retrograde or stand still, will be ruinous. Would it not, then, be more manly and honorable at once to place upon the unoccupied territory a virtuous freehold population, possessed of all the inducements of other citizens to maintain order and good government in this country? Carefully, at the same time, guarding, by our Legislature, the rights of the Indians to their entire improvements and property of every kind, together with an ample sufficiency of land to sustain them and their posterity in their present abodes, so long as they may choose to remain. I consider the present condition of Georgia a most delicate one. Prejudiced enemies, at a distance, may be tolerated and endured but rest assured that I speak advisedly when I say that the enemies of Georgia are alarmingly

multiplying in her midst. The gold mines offer a rallying point for the concentration of bad men from all parts of the world. Even our domestics (negroes) may look to a controversy with the Cherokees with feelings of deep interest. And many of our lawyers, judges and other distinguished selfish men, I have no doubt, begin now to look to and desire a continuance of the present state of things as affording the best prospect of a rich harvest for themselves."

With the hope of devising some means of preventing these outrageous violations of their treaty rights and guarantees, Chief John Ross issued a call for a special session of the Cherokee Council to be convened at New Echota on the 11th day of July, 1830, at which time he delivered the following message:

CHIEF JOHN ROSS' MESSAGE

"Friends and Fellow Citizens:

"The constituted authorities of Georgia having assumed the power to exercise sovereign jurisdiction over a large portion of our territory, and our political father, the Chief Magistrate of the United States, having declared that he possesses no power to oppose or interfere with Georgia in this matter, our relations with the United States are placed in a strange dilemma. The grave aspect of this picture calls for your calm and serious reflections. I have therefore deemed it my incumbent duty, on this extraordinary occasion to convene the General Council of the Cherokee Nation.

"The prayers of our memorials before the Congress of the United States have not been answered. But it is edifying to know that numerous similar petitions from various sections of the United States have been presented in favor of our cause by a large portion of the most respectable class of the community, and that our rights have been ably vindicated in Congress by some of the most distinguished statesmen. But notwithstanding the unanswerable arguments which have been advanced under these appeals, there seems to have been a settled determination, by a small majority in Congress, to make further efforts to bring about a removal of all the Indians east of the Mississippi beyond that great river, by making the question a general one, and acting upon the principles of policy and expediency.

"The respective claims and rights of each tribe under existing

treaties with the United States were viewed only as a secondary consideration. Consequently an act has been passed to provide for an exchange of lands with the Indians residing in the states or territories, and for their removal west of the river Mississippi. The House of Representatives, however, by a large majority, adopted this amendment, which has been accepted by the Senate: 'Provided that nothing in this act shall be construed as authorizing or directing the violation of any existing treaty between the United States and the Indian tribes.'

"It is much to be regretted that we find in the reports of some of the acting agents of the General Government and other designing and interested individuals that our true motives, disposition and condition have been grossly perverted and misrepresented. This may in part be attributed to a want of correct and full information upon the points of which they pretend to speak, and in some respects to an inclination to deceive the public for effecting certain political ends.

"The fee simple title to the soil has been vainly asserted to be in the people of Georgia; and that state has arrogated to herself the power to exercise sovereign jurisdiction over us, and by legislative enactments has declared all our laws, ordinances, orders, regulations and usages to be null and void, and peremptorily demands submission to her proscriptive and oppressive laws under the most degrading circumstances.

"She has pointed to her jails, penitentiary and gallows for practicing obedience to our own laws and independent of all our treaties with the United States and the acts of Congress which have been passed for the protection of our individual and national rights, the Chief Magistrate of the Union has warned us against any hope of interference on his part with Georgia in the exercise of this power; yet he says that such power as the laws give him for our protection shall be executed for our benefit, and this will not fail to be exercised in keeping out intruders, beyond this he cannot go. An officer commanding a detachment of United States troops, who has been ordered into the nation, as it is said, for the purpose of removing intruders, has communicated to the Cherokees at the gold mines the following notice:

" 'An agreement has been entered into by which there will be mutual assistance between the United States troops and the civil authority of Georgia in all civil processes, the jurisdiction of

Georgia having been extended over the chartered limits, and all the natives are hereby advised to return to their homes and submit to the proclamation of the state authority.'

"(Signed) E. TRAINER, Lieut. Comg.

"P. S.—They cannot be supported any longer in anything inconsistent with the laws of the state."

"Thus you will see that the rights and liberties of the Cherokee people are most grievously assailed.

"Our delegation were authorized, if it should become necessary, to consult and employ counsel to defend our cause before the Supreme Court of the United States, in which tribunal, as the conservatory of the Constitution, treaties and laws of the Union, we can yet hope for justice, and to which we shall fearlessly and firmly appeal. I would therefore recommend the expediency of passing a law authorizing some person to assert the rights of the Cherokee Nation in all courts of law and equity in the United States; also to address the President of the United States frankly, openly and respectfully on the subject of our unhappy situation and request his paternal interference in all points as far as the treaties and laws of the United States acknowledge and secure to us our rights until the controversy with Georgia be decided by the Supreme Court of the United States.

"I would further submit for your consideration the necessity of adopting some suitable and proper regulations for the observance of our citizens in working in the gold mines of the nation and other valuable minerals, such as the public interest and peace and good order of society seem to require. Confiding in the superintending care of a kind Providence we should not despair even should we for a season be plunged into the cells of Georgia's prisons. Means for our deliverance may yet be found. Let us not forget the circumstance in Holy Writ of the safe passage of the children of Israel through the crystal walls of the Red Sea and the fate of their wicked pursuers; let our faith in the unsearchable mysteries of an omnipotent and all wise Being be unshaken; for in the appearance of impossibilities there is still hope.

"JOHN ROSS.

"New Echota, N. C., July 11, 1830."

The Council, however, was unable to secure any relief, or to even secure a respectful hearing of their protests, from either

state or federal authorities, and as a last resort, able lawyers were employed, among whom was William Wirt, a noted Baltimore attorney.

GOVERNOR DEFIES UNITED STATES AUTHORITIES

The following special message sent by the governor of Georgia to his legislature shows how bitterly he defied the authorities of the United States and with what utter disregard he considered the treaty rights of the Indians:

"Executive Department, Georgia,
"Milledgeville, 25th Nov., 1831.

"To the Senate and House of Representatives:

"I submit to the General Assembly for its consideration copies of two communications received yesterday, purporting to be signed by Henry Baldwin, Esq., one of the justices of the Supreme Court of the United States, and to be citations to the State of Georgia to appear in the Supreme Court on the second Monday in January next, to show cause before that tribunal why two several judgments should not be set aside, which have been lately rendered in the Supreme Court of the County of Gwinnett against Samuel A. Worcester and Elizur Butler for a violation of an existing law of the state, committed within its jurisdictional limits also a copy of a notice purporting to be signed by William Wirt and John Sergeant, as council for Samuel A. Worcester and Elizur Butler, informing me of an intended application to the Supreme Court for a hearing on writs of error by those persons.

"The obvious object of the proceedings to which this notice and these citations relate is to call in question and attempt to overthrow that essential jurisdiction of the state in criminal cases, which has been vested by our constitution in the Supreme Courts of the several counties of this state.

"My respect for the Supreme Court of the United States as a fundamental department of the Federal Government induces me to indulge the earnest hope that no mandate will ever proceed from that court, attempting or intending to control one of the sovereign states of this Union in the free exercise of its constitutional, criminal, or civil jurisdiction. The powers not delegated by the Constitution to the United States, nor prohibited by it to the states are reserved to the states respectively. Such a control

over our criminal jurisdiction as these proceedings indicate, it is believed, has not been delegated to the United States and consequently cannot be acquiesced in or submitted to.

"Any attempt to infringe the evident right of the state to govern the entire population within its territorial limits and to punish all offences against its laws within those limits (due regard being had to the cases expressly excepted by the Constitution of the United States) would be the usurpation of a power never granted by the states; such an attempt, whenever made, will challenge the most determined resistance, and if persevered in, it will evidently eventuate in the annihilation of our beloved country.

"In exercising the authority of that department of the Government which devolves on me, I will disregard all unconstitutional requisitions of whatever character or origin they may be, and to the best of my ability will protect and defend the rights of the state, and use the means afforded me to maintain its laws and constitution.

"WILSON LUMPKIN."

JUDGE HOOPER ISSUES AN INJUNCTION

In January, 1834, Circuit Judge Hooper, whose jurisdiction extended over that part of Georgia including the Cherokee Reservation, issued an injunction against a white man who had taken possession of a tract of land, on which Reverend Butler, one of the missionaries who had been thrown in prison by the state authorities, had lived. Judge Hooper's decision called forth the bitter condemnation of Governor Lumpkin and his state rights fanatics, the governor denouncing the judge as an imbecile and a traitor to Georgia. The governor defied the judge, alleging that he had sold out to the Indians and threatened him with impeachment.

For the purpose of preventing such infractions of their rights and privileges, guaranteed to them by the Federal Government, the Cherokees brought suit in the United States Supreme Court praying that the State of Georgia be enjoined from thus violating the provisions of the treaties then in force between the tribe and the United States, but Chief Justice Marshall decided that the Cherokee Nation was not a foreign nation, and that therefore, under the Constitution of the United States they had no authority to prosecute such a suit.

This decision of the Supreme Court caused bitter disappointment among the Eastern Cherokees, and finding no way of checking the constantly increasing impositions of the legislature and citizens of Georgia, the Eastern Cherokees were persuaded to meet United States commissioners at New Echota, in the State of Georgia on the 29th day of December, 1835, where their Sixteenth Treaty was concluded.

By the terms of this treaty the Cherokees agreed to exchange the remainder of their holdings in Georgia for $5,000,000, and an additional sum not to exceed $300,000 for spoliation, the exact amount to be determined by the United States Senate. The Cherokees were also to receive an addition to their new reservation of 800,000 acres adjoining Missouri, in consideration of the sum of $500,000. The United States also agreed to remove the Eastern Cherokees to their new homes in the West at its own expense. It was further agreed that the United States would place $50,000 to the credit of the Cherokee Orphan Fund and $150,000 to the credit of their school fund.

This treaty further provided that those Cherokees who desired to remain in North Carolina, Tennessee and Alabama, and who were qualified to become useful citizens, should be permitted to pre-empt 160 acres of land, but this provision was vetoed by President Jackson, who seemed determined to compel all the Indians to emigrate.

The new Echota treaty, which as already stated, provided for the surrender of all the remaining territory held by the Cherokees in the East, was negotiated by a faction led by John Ridge and Elias Boudinot, but was bitterly opposed by Chief John Ross.

The murder of John Ridge, Elias Boudinot and Major Ridge, which occurred later, was attributed to the animosity engendered by the adoption of this treaty. In the spring of 1837 the supporters of Chief John Ross held a convention at Red Clay and remonstrated against the treaty, but to no purpose. President Jackson had decided that the Indians must go, and toward the close of the year 1838 he sent General Scott with a regiment of United States soldiers to Georgia to "persuade" the Cherokees to emigrate. The Indians, seeing that any further protestation was useless, accepted the situation stolidly, but with many heart-burnings and quietly began preparations for their long trek toward their

unknown homes in the wild wilderness beyond the Mississippi River.

It was thought that the New Echota treaty was sufficiently comprehensive and explicit to effect a settlement of all Cherokee complications and controversies but such expectations were in vain. The Government was dilatory in fulfilling its promises. It neglected to issue a patent to the Indians for the newly-acquired lands in the West. In transporting the Eastern Cherokees to their new western home, the Government paid the expense thereof out of Cherokee funds, which the Western Cherokees claimed was a misappropriation of their money, and was not in accordance with their treaty stipulations. Disputes arose also between the Western and Eastern Cherokees (old and new settlers) as to their relative rights and interests in the funds of the tribe and the Indian Territory lands. Delegates of each faction, headed by Chief John Ross, met the United States commissioners in Washington and negotiated their Seventeenth Treaty, which was approved by President Polk on the 17th day of August, 1846, and which purported to settle all of the disputes growing out of the New Echota Treaty.

The refusal of the governor of Georgia to recognize the right of the state or Federal courts to interfere with his determination to drive the Indians out of Georgia, caused bitter controversy on all sides. Philanthropic societies throughout the United States, especially in the North, sent hundreds of petitions to President Jackson, urging him to protect the Indians in the exercise of their treaty rights, but Jackson's sympathies leaned toward the whites, although, as President, he knew that he ought to uphold the Federal laws and treaties. Chief John Ross was making a valiant fight for his people but the white residents and officials of Georgia were determined to oust the Indians from that state. A number of personal encounters occurred and several whites and Indians were killed.

In order to forestall a threatened outbreak among the Indians the white intruders residing on the reservation, aided and encouraged by the militia and constabulary of Georgia, held a convention on May 10, 1834, and adopted resolutions, one of which was as follows:

"Resolved, that we pledge ourselves mutually, that for every citizen of Cherokee County assassinated by a Cherokee Indian

and where the offender is not given up to the civil authorities within two weeks (or satisfactory evidence of their inability to arrest the offender) from the date of the offense, we will select three male Indians out of the County of Cherokee, and put them to death as an atonement for the murder of such citizen."

Governor Lumpkin, in a letter to President Jackson dated May 20, 1835, urged that no further concessions be made to the Cherokees other than those specified in their recent treaty, but that the Indians be required to leave Georgia without delay.

"Indians cannot live in the midst of a white population and be governed by the same laws," he wrote, yet he used all the power and influence of his official position to enforce the laws of the state upon the Indian Reservation, even to the extent of ignoring the orders of the State and Federal courts.

At the close of his career as governor of Georgia, in the autumn of 1835 he wrote to his agent on the Cherokee Reservation as follows:

"My strongest and most ardent desire arises in true philanthropy to these deluded Indians who have so long been the dupes of John Ross and his white co-workers and lawyers. Since I came into the executive chair, by my special recommendations, and at my special responsibility, thrown on me at every stage of our legislation, I have moved straight forward, until the Cherokee part of Georgia has been changed from a howling wilderness of savage bands and wild beasts to that of a settled and cultivated country, populated by thousands of civilized men, now enjoying all the blessings of our Constitutional Government. Having effected all of this without a treaty, why should Georgia, upon selfish considerations, care about a treaty? What remains to be done, so far as Georgia is concerned, can be better done by state legislation than by any treaty."

Just a few weeks before making that statement, he had sent a company of armed soldiers to New Echota, where the Cherokees were assembling to vote for or against the acceptance of their recent treaty, and had manifested a very earnest desire that the Indians vote for the treaty, by which they were to surrender their possessions in Georgia and emigrate to the Indian Territory. In a letter to Major Curry the governor expressed his determination to organize a force in Georgia for the protection of the Indians who were friendly to the treaty.

In reviewing the long list of treaties made with the Cherokees a few short provisions contained in their treaty of February 17, 1792, are worthy of special notice:

Article V of that treaty provided that citizens and inhabitants of the United States should have the free and unmolested use of a road through the reservation from Washington District to Mero District, and of the navigation of the Tennessee River.

Article VI grants to the United States the sole and exclusive right of regulating trade with the Indians.

By Article VII the United States solemnly guaranteed to the Cherokee Nation all their lands not ceded by this treaty.

Article VIII provided that if any citizen of the United States or other person not being an Indian, shall settle on any of the Cherokees' lands, such person shall forfeit the protection of the United States, and the Cherokees may punish him or not, as they please.

Many Cherokees lay the blame of much of their tribal trouble to the articles just mentioned.

When a public highway was opened through their hunting grounds as provided by Article V, many white travelers, attracted by the beautiful, fertile valleys of the reservation, inaugurated a species of "squatter sovereignty" by stopping and proceeding to cultivate small tracts of land. The adjoining states and white settlements protested vigorously against the enforcement of the other articles mentioned. The Cherokees' appeals for their enforcement by the United States fell upon unwilling or indifferent ears, and it seems apparent that at that early day, many high officials, both state and national, were inclined to regard a treaty as but "a scrap of paper." If the Indians refused to trade with their white neighbors as provided in Article VI, they incurred the displeasure and enmity of the intruders; if they undertook to enforce the provisions of Article VIII, they were threatened with punishment by the state authorities. In the meantime the Federal Government was solemnly neglecting to protect the Indians in their treaty rights.

Subsequent treaties provided for other public highways through the reservations, the treaty of 1805 providing for a mail route through the reservation, to extend from Knoxville to New Orleans.

Every one of these public highways became an entering wedge

which the whites utilized in trespassing upon the rights of the Indians.

Apparent peace and contentment prevailed among the Cherokees in their new homes in the West for some time following the conclusion of this last treaty. Many of them were busily engaged in building homes and developing farms. They established schools and churches, rendered aid and encouragement to missionaries and adopted a constitution and a comprehensive code of laws, indicative of a high degree of intelligence. But the Civil war of 1861 approached. Many of the Cherokees were slaveholders and had brought their slaves with them to their new homes. They were born and reared in the South and were southerners by association and environment. It was but natural, therefore, that they should sympathize with their southern friends, although their attempted alliance with the Southern Confederacy was followed by the saddest period in Cherokee history.

One faction entered into a treaty with the Southern Confederacy on October 7, 1861, but this treaty was promptly repudiated by the Cherokee National Council February 18, 1863. Many Cherokees remained loyal to the Union and furnished a goodly number of soldiers for the northern army. This unfortunate disagreement among their own people resulted in much suffering and many hardships during the years from 1861 to 1865. Many Cherokee families were forced to abandon their homes and seek places of safety in adjoining states.

During their forced absence their homes were looted and their horses and cattle driven away.

After the war was ended it became necessary for the Cherokees to enter into a new covenant with the United States, and their delegates were called to Washington, where, on the 19th day of July, 1866, their Eighteenth Treaty was concluded.

This treaty declared amnesty for those who had taken part in the late war; it provided for the establishment of a United States Court in Indian Territory; it abolished slavery (the Cherokee National Council had already abolished slavery by its voluntary act); it gave all freedmen and all other colored persons who were living within the reservation when the war began, all the rights of native Cherokees; it provided for a railroad right of way to run north and south through the reservation and also one to run east and west; it provided that the United States should sell, as

trustee for the Cherokees, that strip of their lands included in the State of Kansas, estimated to contain eight hundred thousand acres; it prohibited the introduction of intoxicating liquors except by medical authorities for strictly medical purposes.

ADDRESS OF CHIEF WILLIAM P. ROSS, UPON THE TREATY OF 1866—FIRST CALLED COUNCIL AFTER THE WAR, FOLLOWING THE DEATH OF JOHN ROSS.

"Friends and Fellow Citizens:

"You have been called together in pursuance of a joint resolution of the national council, for the purpose of making known to you the provisions of the treaty, concluded at Washington on the 19th day of July last, and of obtaining your ratification of certain amendments to the constitution of the nation which seem to be required, in part, by that treaty. The objects of the meeting are, therefore, important, while the circumstances under which it is held possess more than ordinary interest. For the first time for more than five years the people of the Cherokee Nation are assembled in general convention. For the first time since the war we have met you as friends and brothers. I most devoutly thank the Great Ruler of the Universe that it is my high privilege to address you as one people.

"I thank Him that amidst the carnage, the horror and the desolation of those long, dark years of conflict, we have not been swept entirely from off the face of the earth. I thank Him that our existence as a community is not destroyed; that our Government is still maintained; and most earnestly do I trust that our present peace may continue unbroken; that our harmony may be firmly cemented; that the work of rebuilding our wasted homes and shattered fortunes may be prospered, and that our future prosperity may surpass our most earnest expectations. The measure of our success in time to come must depend to a great extent upon ourselves. We hold our fortunes in our own hands. If wise and prudent we shall be able, under the fostering care of the United States Government, to increase our means, multiply our numbers, enlighten our people and fortify our position. Division of sentiment, degenerating into strife between persons, neighborhoods and parties, will produce nothing but mischief, weakness and ultimate ruin. Our only hope is in that unity of feeling and

action that we have of interest and destiny. That will give strength to our purposes, strength to our Government and institutions. Cherokees, if you firmly resolve to become one people, you will become one; if you firmly resolve to stand together, so will you stand, alike through good and evil. We are all possessors of a common inheritance, so let us enjoy it; we all have one interest—let us protect and defend it. Let us look forward to the pleasing landscape of the future, with its newly rising sun, its green plains, majestic hills and silvery streams and not back upon the dark valley of the past with its lost friends, blighted hopes and sad and fearful associations. The error, the wrong, the violence, the inhumanity and the defeat, the patience, the suffering, the heroism and the victory of the war have floated by us down the stream of time. We cannot snatch them back, we cannot change them. They have gone to swell the great volume of history. There they must remain; we may not forget them—we shall not lose their solemn lesson to us as a people, but no good can arise from discussing them, from repining over loss and defeat or exulting over victory and its trophy. There is enough else ahead to absorb our thoughts, to employ our hands and to call forth our highest exertions. Never did we have more to live for, to labor for and to gain.

"Let the young men of this nation remember that idleness leads to poverty, to dissipation, to strife, to violence, to murder, and the gallows. Let them always bear in mind that industry is honorable and leads to contentment, to competence, to success and distinction. Although there are many sad and silent hearth-stones, not all the first born in the land have been smitten. There are still many children left. These must be educated. When huge cables stretch across the great ocean and railroads across a great continent, from the rising to the setting sun; when the blood of the most restless, and enterprising, and greedy population on the face of the earth is mantling and flowing all around us; when all classes and colors stand upon the same line, stripped to contend for the prize of wealth, knowledge and honor, there is no time for the children of our country to grow up in idleness and ignorance. The means of a common school education in the English language, which all should know, are within reach of nearly, if not quite all, the children of the country. Let the parents and guardians, as they value the future welfare of their children, see that they attend school regularly and faithfully. Let a general interest be

felt and shown on this subject. We cannot stand still; we must go forward or backward. Our sons and daughters must be enlightened; they must be taught habits of virtue, temperance, economy and industry, or they will not be able to appreciate their own privileges, nor to understand or maintain their own rights. Industry, when properly directed, will meet with ample reward. The raising of hogs, horses, cattle and sheep, when it can be done with little care and expense, should be made a source of enjoyment and profit.

"Our soil, rich and diversified, seldom fails to compensate the industrious husbandman. Wheat, corn, oats, barley, potatoes, cotton, tobacco and a long list of fruits and vegetables, with a ready and increasing market at our doors, will remunerate with comfort and competence any man who carefully cultivates them.

"The mechanical arts afford constant employment to those who pursue them; while there is every inducement for our own people to engage in milling, tanning and the manufacture of wagons, ploughs, furniture, etc.

"If we could but fully realize the fact, my countrymen, we shall feel convinced that, whatever calamities may have befallen us, we are not wholly ruined, but still have possessions and privileges of no ordinary value. Everyone may have a comfortable home, with abundance of wood, water, stone and land; all may have farms and orchards, producing liberally the most nutritious grains and delicious fruits; we can educate our children fully; we have a government and laws of our own making; we choose our own rulers. We are a community of men, regardless of complexion, as free as almost any on the continent. These are high and valuable privileges. Let us not despise nor neglect them; let us prize them according to their great worth; let us improve them; let us press forward in the development of the material resources which lie around us, to the increase of our own comfort and to the elevation of our people by an enlightened and Christian civilization. Then, new beauties will adorn the brow of our fair country. Then, order will reign throughout our borders. Then, shall we have wrought a true destiny, snatched our race from the abyss of extinction, and obtained for them an honorable place among men."

CHAPTER IV

THE CREEK NATION OF INDIANS

THEIR TREATIES AND SKETCH OF THEIR HISTORY—FIRST TO FIFTEENTH TREATIES, IN ORDER

The origin of the Creek tribe of Indians, like that of most other tribes, is shrouded in doubt and mystery. While uncivilized and of nomadic disposition, it was not possible to preserve any reliable historic records of the tribe. They have assumed the name "Muskogee Nation," but 200 years ago, they constituted but one branch of the powerful confederation known as the "Muskhogeans," which at one time included the other four tribes of Indian Territory. The early English settlers gave them the name of "Creeks," because of the numerous small streams of water in the sections of Alabama and Georgia which they inhabited. It seems that the earliest recorded account of them is found in the diaries of De Soto, the Spanish explorer, who made a raid through their country in 1540. De Soto's memoirs show that at that early date the Creeks were organized into clans, later called "towns," over each of which a head chief presided.

The First Treaty made by the United States with the Creek Indians was executed at New York City on August 7, 1790, by Henry Knox, President Washington's war secretary and the kings, chiefs and warriors of the Creek Nation, twenty-three in number, representing ten towns or clans. By this treaty the Creek Reservation was defined as being a large tract of land lying in the southeastern part of the present State of Georgia, bounded on the east by the Savannah River and on the west by the Altamaha. The Creeks surrendered all claims they might have had to the territory lying east and north of this reservation. For this relinquishment the United States agreed to pay the Creeks $1,500 annually and to "cause certain valuable goods in the State of Georgia to be delivered to the Creeks." In order to encourage

the Creeks to become herdsmen and cultivators the United States also agreed to furnish them "gratuitously, from time to time, with useful domestic animals and implements of husbandry."

This treaty also provided for the punishment of offenses committed by whites on the reservation and by Indians against the whites.

The Second Treaty with the Creeks was effected at Colerain on the 29th day of June, 1796. This treaty provided that the northern boundary of the Creek Reservation, extending from the Currahee Mountain to the Oconee or Apalachee River should be clearly ascertained and marked under the direction of the President. It also provided that the United States might establish a trading or military post at Beard's Bluff on the Altamaha River, and for that purpose the Creeks ceded a tract of land five miles square.

The Third Creek Treaty was made with commissioners appointed by President Thomas Jefferson, at Fort Wilkinson on the Oconee River on June 16, 1802. By this treaty the Creeks were induced to give up a valuable portion of their reservation adjoining the Oconee, Ocmulgee and Altamaha rivers.

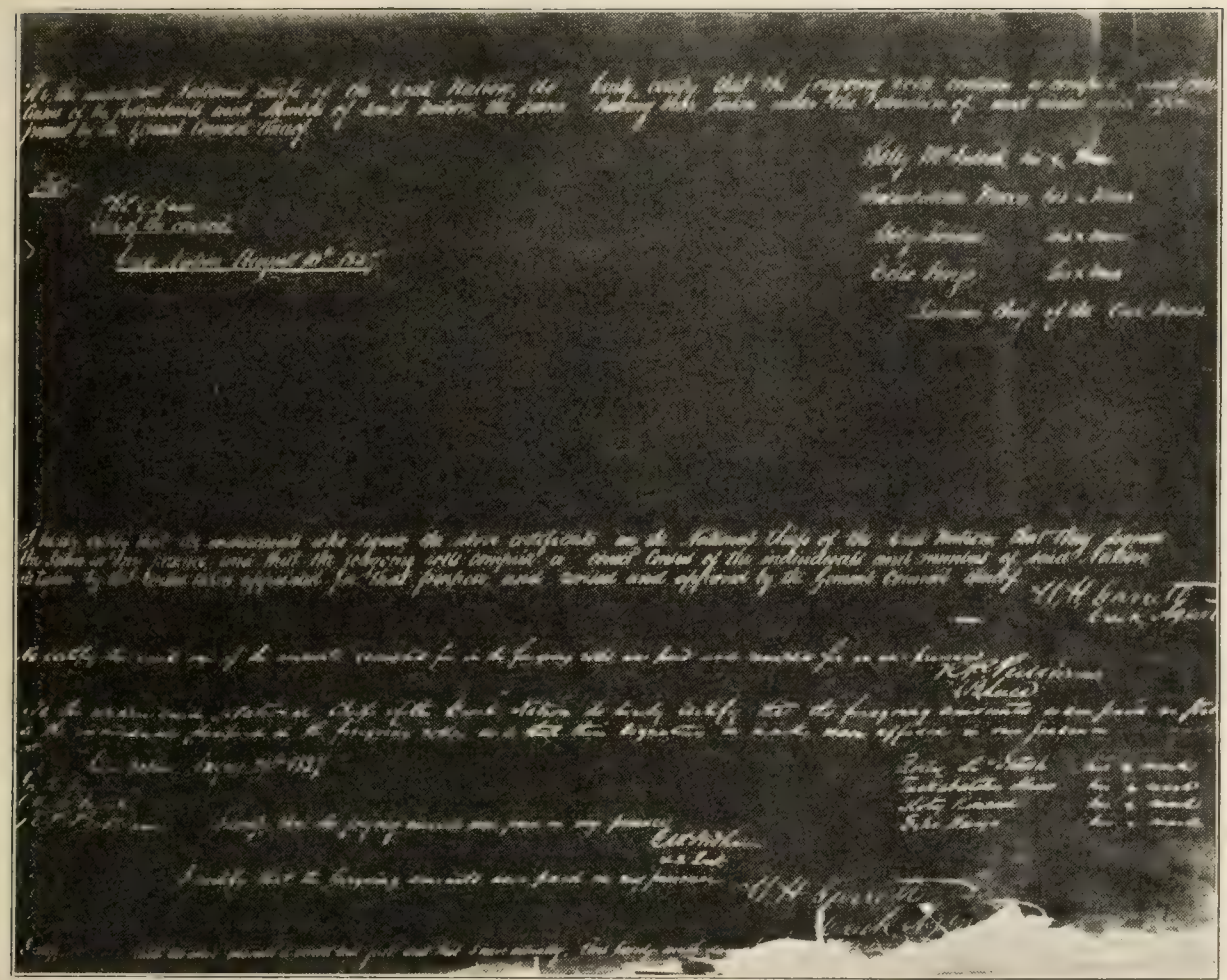
For this fertile tract the United States agreed to pay the Creeks $3,000 annually and allow them $25,000 in goods and in the settlement of various claims.

This treaty also provided for the payment of $1,000 per year for ten years to the chiefs of the Creek Nation, and also for furnishing two sets of blacksmith tools, with men to work them for three years.

In 1802 Georgia released all of its claims to the land now included in the states of Alabama and Mississippi to the United States Government with the proviso that the Federal Government should cancel the titles which the Creek Indians held to land within the boundaries of that state as rapidly as it could be done.

The white people of Georgia had been in numerous skirmishes with the Indians prior to this time and the feeling of antagonism between the two races seemed to be increasing, notwithstanding the mild efforts of President John Adams to preserve peace.

The Indians asserted their right to their possessions stubbornly, and were encouraged to do so by certain classes of whites, although the governor and other prominent officials of Georgia were anxious to get rid of the Indians. At that time the Creeks



By courtesy of Grant Foreman

CERTIFICATE OF CREEK CHIEFS, ROLLY McINTOSH, TUCKABATCHEE MICCO, MOTY KINARD AND ECHO MARJO, TO 1857 CREEK PAY ROLL

were divided into two factions known as Upper Town and Lower Town.

On the 14th day of November, 1805, the chiefs and head men of the Creek Nation were called to Washington by President Jefferson, where their Fourth Treaty was negotiated. By its terms the Creeks agreed to cede another portion of their reservation lying between the Oconee and Ocmulgee rivers, for which the United States agreed to pay annually the sum of $12,000 in money or goods, for a period of eight years, to be followed by an annual payment of $11,000 during the next ten years. This treaty also provided that the United States should have the use of a horse path through the Creek Reservation.

The Fifth Treaty entered into between Gen. Andrew Jackson and the chiefs, deputies and warriors of the Creek Nation on the 9th of August, 1814, cites that an improvoked, inhuman and sanguinary war had been waged by the hostile Creeks against the United States and that the states had repelled, prosecuted and determined the same successfully, notwithstanding the instigations of impostors, denominating themselves prophets, and notwithstanding the duplicity and misrepresentation of foreign emissaries, whose governments were at war with the United States.

This treaty gives an inkling of the vigorous, unmerciful attitude which General Jackson had assumed toward the Indians, and of the machinations of designing foreigners in inciting the Indians to trouble and insurrection.

As a punishment for the aid which the Creeks rendered to England during the War of 1812 they were required by this treaty to cede another slice of their territory along the Coosa River to the United States, the Government, however, promising that inasmuch as the Creeks were reduced to extreme want, it would furnish them with the necessaries of life until they could mature a crop of corn.

The Sixth Creek Treaty was negotiated by President Monroe with the kings, chiefs, head men and warriors at the Creek Agency on Flint River on the 22d of January, 1818. This treaty provided for the cession of two fertile tracts of land in the vicinity of Ocmulgee and Apalachee rivers, for the consideration of $20,000 cash, and $10,000 annually for ten years.

Their Seventh Treaty was concluded at Indian Spring on January 8, 1821. By this treaty the Creeks surrendered control

of a part of their reservation adjoining the Flint and Chattahoochee rivers, reserving to the Indians 1,000 acres surrounding Indian Spring and also reserving a square mile of land for Chief McIntosh on the bank of the Ocmulgee River, and a square mile each for Michey Barnard, James Barnard, Buckey Barnard, Cussena Barnard and Efauemathlaw on the Flint River. For this cession of land the United States agreed to pay $10,000 in cash, $40,000 upon the ratification of the treaty, $5,000 annually for two years, $16,000 annually for five years thereafter and $10,000 annually thereafter for six years.

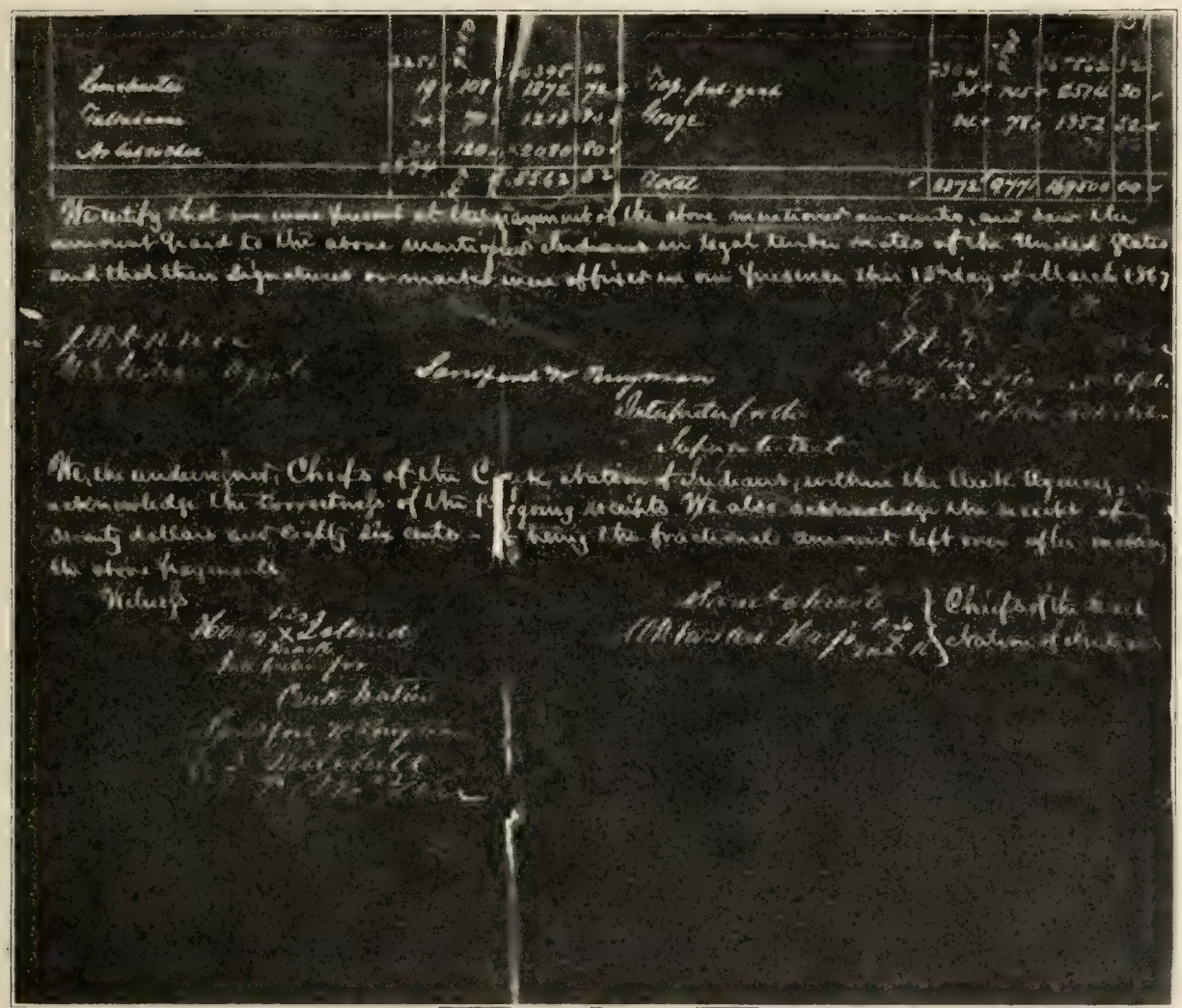
This treaty also provided that the United States would assume a claim of the State of Georgia against the Creek Nation in the amount of $250,000.

This was one of the most important treaties made by the Creeks, and by it they surrendered control of what was probably the best portion of their reservation.

It resulted in great dissatisfaction and unrest among the Creek people as they regarded it as being almost the final attempt, upon the part of the white invaders, to dispossess them of their homes and hunting grounds. Some of them were already thinking of emigrating to the wild country west of the Mississippi.

The Eighth Creek Treaty negotiated at Indian Spring on February 12, 1825, provided for the relinquishment of practically all of the Creek holdings in Georgia in exchange for lands west of the Mississippi and a money consideration of $5,000,000. This treaty was signed by William McIntosh, head chief and fifty-one town chiefs and head men of the Creek Nation, but the Takaubatchee delegates refused to sign it. It created a great furore among the Creek people, almost resulting in a Civil war, many of the Indians claiming that their chiefs had not been authorized to make such a treaty.

Charges of bribery and misrepresentation were made against the signers of this treaty and the opposition to it became so strong and bitter among the Creeks that President J. Q. Adams, who was just entering upon his term of office, declined to carry it into effect. Chief McIntosh was said to have been a cousin of Georgia's governor (Troup) and it was claimed that undue influence was brought to bear upon him to induce him to sign this treaty. Two months later McIntosh was killed by Creeks who were incensed



By courtesy of Grant Foreman

CERTIFICATE OF CREEK CHIEF SAM CHECOTE AND OTHERS TO 1867 CREEK PAY ROLL

at the provisions of this treaty and the delegates who signed the treaty with him were driven from the reservation.

Just at this point the dispute arose between the Government of the United States and the State of Georgia as to jurisdictional rights over Indian lands, in which the doctrine of "State's Rights" was strongly asserted by Georgia, and which, for a while, threatened war between the state and the nation.

The rule of law was then asserted (and maintained) that when the title to Indian lands lying within the limits of one of the thirteen original states was extinguished, the land reverted to the state in which it was located; but that when a new state was formed and admitted into the Union, the Indian lands included within such new state, reverted to the United States Government whenever the Indians surrendered their title to them. Asserting their rights under this rule of law, the authorities of the State of Georgia claimed that upon the execution of the Indian Spring Treaty, the land ceded therein, became vested in their state absolutely and that the Federal Government had no right to cancel the state's title, thus acquired. When Governor Troup sent a company of surveyors to survey and plat the land claimed by Georgia under the terms of this treaty the Creeks refused to permit the surveyors to proceed with their work, which refusal was approved by President Adams, but when he finally referred the matter to the United States Senate, that body decided that the State of Georgia had legally acquired title to the land in question by virtue of the terms of the Indian Spring Treaty.

In order to forestall a revolution which was threatened among the Indians, their chiefs and head men were called to Washington, where, on the 24th of January, 1826, Treaty Number Nine was negotiated.

By the terms of the Indian Spring Treaty the Creeks ceded a portion of their reservation along the Chattahoochee River in the vicinity of Buzzard's Roost. For this cession the Creeks were to receive $217,600 and a perpetual annuity of $20,000. This treaty also provided that the United States would pay expenses and one year's subsistence to such Creeks as would emigrate to the new country west of the Mississippi River within two years from that date.

This treaty also provided for the payment of $100,000 to be divided among the Creek chiefs and warriors provided they could

induce 3,000 of their people to emigrate to the far west country within the two years.

The Tenth Creek Treaty was concluded at the Creek Agency on the reservation on November 15, 1827, by which the Creeks gave up a certain tract of land claimed by the State of Georgia and which was supposed to have been included in the last treaty above mentioned. For this relinquishment the Creeks were to receive $27,491, in addition to $15,000 for goods and education.

The Eleventh Creek Treaty, made between Lewis Cass and the Creek chiefs at Washington was proclaimed April 4, 1832. By its terms the Creeks gave up practically all of their reservation in exchange for lands west of the Mississippi. The United States agreed to spend annually, for twenty years, the sum of $3,000 upon the education of Creek children and to furnish a blacksmith, rifles and blankets to the emigrant Indians.

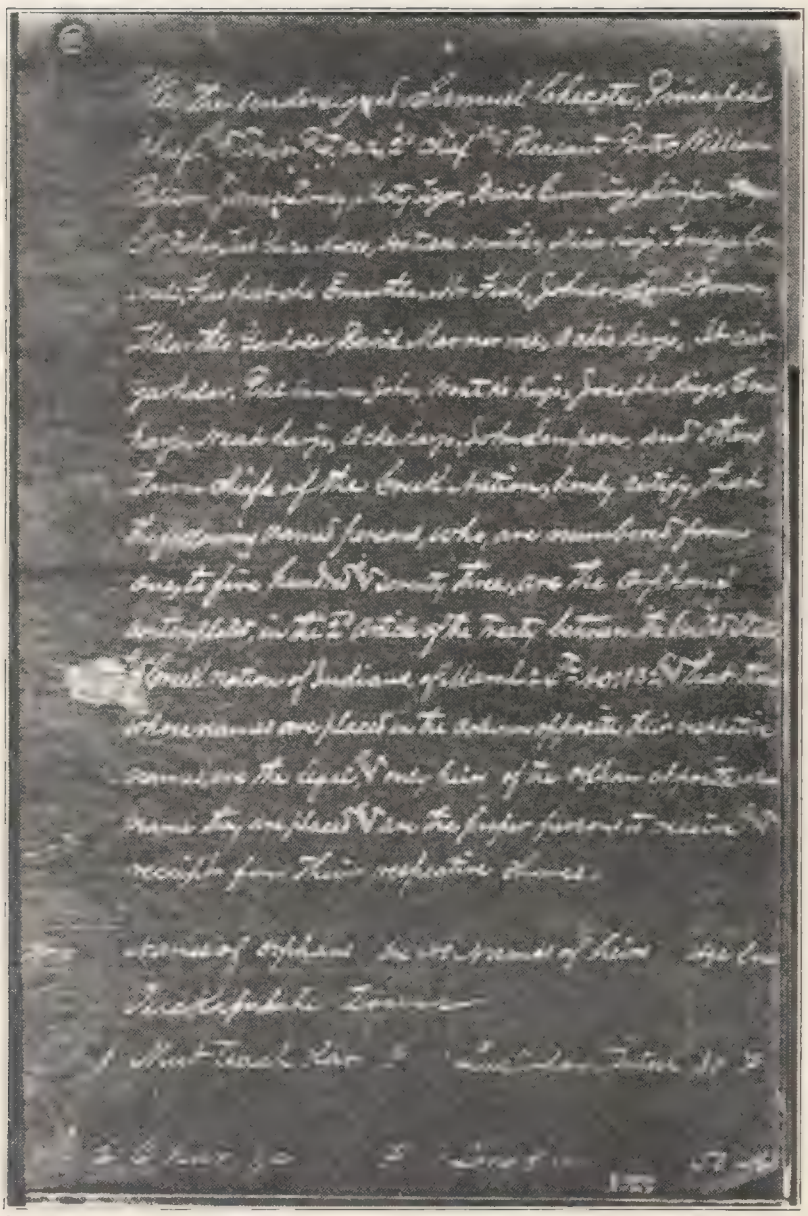
This treaty also solemnly guarantees that no state or territory shall ever have a right to pass laws for the government of the Creeks in their new home.

On February 14, 1833, their Twelfth Treaty was concluded at Fort Gibson, Indian Territory. This treaty described the boundaries of the new reservation and settled a dispute which had already arisen concerning the boundary line between the Creek and Cherokee reservations. Montfort Stokes, Henry Ellsworth and John F. Schermerhorn represented the Government in making this treaty.

The Thirteenth Creek Treaty, made by General Armstrong, superintendent of Western Territory, assisted by Brigadier General Arbuckle, with the Creek chiefs at Fort Gibson, was approved on the second day of March, 1839.

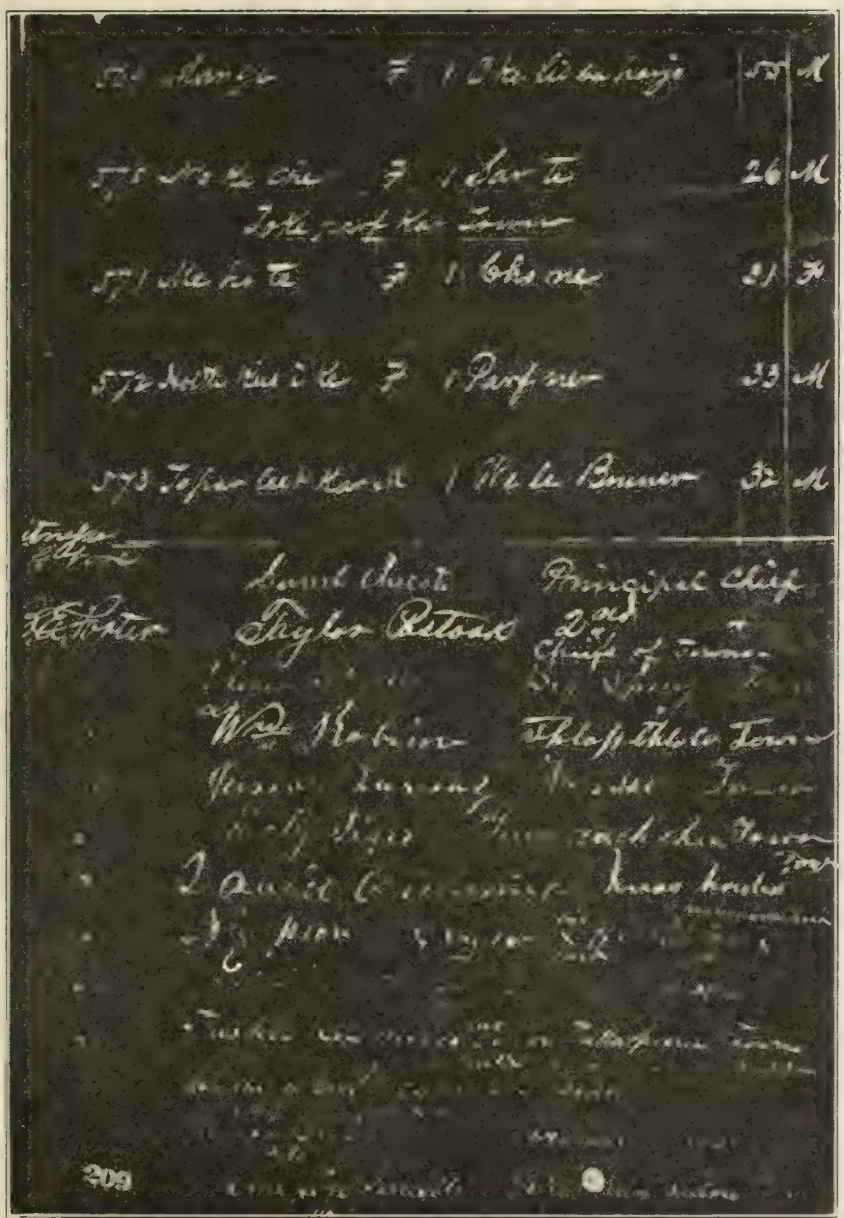
This treaty adjusted some of the claims for property and improvements abandoned or lost on account of the Creek's emigration from their old homes to the new territory west of the Mississippi River. This treaty also provided for the maintenance of a manual labor school for the Creeks in the Canadian District and one in the Arkansas District.

The Fourteenth Creek Treaty, concluded at Washington, D. C., on the 7th of August, 1856, was one of the most important in the history of the Creeks. The names of the Creek delegates who signed it—Tuckabatchee Minco, Echo Harjo, Chilly McIntosh, Benjamin Marshall, George W. Stidham and Daniel N. McIntosh,



By courtesy of Grant Foreman

PREAMBLE TO 1882 CREEK ORPHAN PAY ROLL



By courtesy of Grant Foreman

RECEIPT OF CREEK CHIEFS FOR 1882 CREEK ORPHAN PAY ROLL.

are familiar to those now living, and their children are among the leaders of the present generation of Creeks. This treaty is an attempted summary of all former treaties, cancelling many old provisions which seemed to have outlived their usefulness and adjusting many disputes which had arisen during the preceding decade.

It settled a dispute concerning the boundaries of the Creek and Seminole reservations and provided that members of either tribe might settle upon land in either reservation. The treaty was signed also by Seminole delegates, who agreed to use their influence toward inducing their brothers back in Florida to emigrate to their new reservation. By the terms of this treaty the Creeks were to receive $1,000,000, for which they agreed to release all claims to their old reservation. The Seminoles were to receive $90,000 and an allowance for schools and shops. The United States also agreed to allow the Seminoles an invested fund of $500,000 for their holdings in Florida, one-half of which should be held in abeyance until all of the Seminoles in Florida had joined their brethren in the West.

It was expected that this treaty would bring about peace and harmony among all parties concerned but the pipe of peace was smoked in vain. While living back on their old reservations, the Indians, in common with the whites of the southern states, held negroes as slaves. When they emigrated to their new home in the West many of them took their slaves with them. Their interests were closely related to, if not identical with the South, and when the War of 1861 began many of the Creeks joined the Confederate Army and fought against the Union. On July 10, 1861, the Creeks who sympathized with the South entered into a treaty with the Confederate states, whereby they ignored their allegiance to the United States and cast their lots with the South, thereby rendering themselves liable to forfeit all benefits and advantages enjoyed by them in lands and annuities. At the close of the war, however, certain Creek delegates met at Fort Smith, Ark. (September 10, 1865) and cancelled and repudiated this treaty and again declared their allegiance to the United States. Some of them, however, remained loyal to the Government, many of them fighting valiantly in the Union Army. Some battles were fought within the limits of the Creek Reservation in which members of the same tribe were arrayed against each other. This unfortunate

condition of affairs resulted in much suffering and trouble for the Indians. Their horses were stolen, their cattle were driven away, their houses burned, some of them were killed and others compelled to flee from their homes in search of places of safety. Bitter dissension arose among the members of the tribe and a Civil war of their own was threatened.

In order to quiet this trouble among the Indians and to effect a settlement with them for the part which they had taken in this war, President Andrew Johnson negotiated the Fifteenth Creek Treaty on the 14th of June, 1866, at the City of Washington. By this treaty the Creeks bound themselves to remain firm allies and friends of the United States and to remain at peace with all other Indian tribes. This treaty provided that slavery should no longer exist among the Creeks and that the former slaves residing on the reservation and their descendants should share equally with the Indians in their lands and national funds.

The Creeks were required to cede to the United States the west half of their entire domain, estimated to contain 3,250,560 acres, for which the United States agreed to pay them 30 cents per acre. The United States also agreed to pay those Creeks and Freedmen who had remained loyal to the Government during the war for their services and for losses incurred.

CHAPTER V

COST OF EMIGRATION TO INDIAN TERRITORY

SOME INCIDENTS OF THEIR TRIP—TO THE INDIAN TERRITORY BY WATER —SCHERMERHORN'S THREAT—EASTERN CHEROKEES

Quite a spirited and protracted controversy arose over the matter of paying the expenses of the removal of the Cherokees to their new western home.

Gen. Winfield S. Hancock was then in charge of military matters in Georgia and he was authorized to employ one or more competent persons to transport the Indians. Numerous persons applied for the contract, making bids ranging from $30 to $75 per head.

Many Cherokees seemed to prefer that the contract be awarded to their chief, John Ross, and after quite an extended correspondence upon the subject, General Hancock, on August 2, 1838, entered into an agreement with John Ross, Lewis Ross, his brother, and Elijah Hicks, by which they were to be paid $65.88 per head, it being estimated that there were ten thousand Cherokees to be transported, and that eighty days would be required to make the trip across the country. Many Cherokees were gathered into camps immediately, preparatory to starting on the westward trip, when it was decided that as the summer of 1838 was exceedingly drouthy, feed and water along the route would be scarce, the health of the emigrants would be promoted by postponing the trip until later in the season.

This contract was based on the following estimate of expenses for transporting 1,000 persons:

Fifty wagons and teams, including feed	$28,000
Returning wagons and teams to Georgia	14,000
250 extra horses, 40 cents per day	8,000
Ferriages, etc.	1,000
80,000 rations at 16 cents each	12,000

Conductor at $5 per day	400
Assistant at $3 per day	240
Physician at $5 per day	400
Physician's expense returning home	120
Commissary at $2.50 per day	200
Assistant at $2 per day	160
Wagon master at $2.50 per day	200
Assistant at $2 per day	160
Interpreter at $2.50 per day	200
Total estimate, per 1,000 persons	$65,880

Under this contract $776,398.98 was paid to John Ross. A year or two later, upon the petition of the Cherokee Council an additional sum of $486,939.50 was paid, which payment became the subject of a very prolonged Congressional investigation.

Hundreds of pages of testimony were taken tending to show that the claim was excessive; that other parties had offered to do the work for very much less money; that although a charge was made for returning the wagons, yet the wagons were not returned; that some were transported by water at less expense than the trip by land amounted to; that the expense of gathering the Indians into camp and boarding them until their caravan was ready to move, was not included in the contract made with General Scott, etc. As is usual, however, in such cases, no direct result was obtained by the investigation.

TO THE INDIAN TERRITORY BY WATER

Mrs. Sarah Ann Moncrief, an Indian woman, ninety-three years of age, who was born on one of the Eastern reservations and came West with others to the Indian Territory, gives the following account of the trip:

"We had heard that there was a great opening in the West, and this being about the time the pale faces were wanting to get the Indians all out of the states, a bill was passed to have the Government move us. The Government made appropriations to move us all west, paying our expenses and furnishing one year's rations, issued as the soldiers' rations were issued, every three months. This applied to our negro slaves as well as to ourselves.

We began to make preparations. There were men who contracted to move us. They went around among the Indians enrolling their names, ages, etc. Then they would set a date to leave, traveling by boat. These emigration agents always sent the Indians by deck passage. We had traveled some before this, but never by deck passage. Our family made arrangements with the agent to let us travel as first class passengers and we paid the difference between that and deck passage. The agent knew that such Indians as we were, and many others like us, could not stand deck passage. We made our start for the West, going down the Tombigbee River to Mobile, Ala. There we crossed Lake Pontchartrain between Mobile and New Orleans, into the Mississippi River. Cholera was raging at that time in New Orleans and we were anxious to take the first boat out. It was an old boat and not a very safe one, by the name of Alvarado. We had not gone up the Mississippi very far when we found we were not in a first-class boat. Nevertheless, we were willing to take anything to get away from that cholera. We found that nearly all the officers and hands were thieves. They broke into my brother's trunk and stole a number of articles. One night we saw one of the captain's boys wearing a cap which had been taken from the trunk and we called the captain's attention to it. He made his boy return all the trinkets he had taken from my brother's trunk. We had great fear for we knew we were in a den of thieves. We were afraid we would be murdered.

"One very foggy night, the river being very high and the levee breaking in places, our boat ran upon a levee and tied us up for two days. We signaled every boat that passed, but none would come to our aid. Finally, a White River boat came to our rescue.

"Our boat was loaded with salt in sacks, and the officers pressed passengers and all into service, carrying sacks from the prow to the stern of the boat. They were over half a day getting us off, but we were glad to get away for we were afraid our boat would sink. In those days we did not pay for our passage until we got to the end of the journey, but the captain begged the passengers to pay him half of their fare so he could pay the captain of the White River boat for pulling us off the levee. There was not much sleeping done by the men from there on to the mouth of the Arkansas, for they feared the thieves. Where the Mississippi backed up into the mouth of the Arkansas there was a sea of

water—nothing but water as far as the eye could reach. Here we had to change boats at a place called Napoleon. We got on a boat called the Western Water Lady and there were so many drifts in the Arkansas River that it took us a whole week to get to Fort Smith."

SCHERMERHORN'S THREAT

Apparently forgetting that in former treaties the United States had solemnly promised to protect the Cherokees in the possession of their lands and in the enjoyment of their rights and privileges, Mr. Schermerhorn, one of the commissioners of the United States, appointed to negotiate the treaty of 1835, by the terms of which the Cherokees were called upon to surrender possession of their remaining lands and homes in Georgia, in an address to the Cherokees at Running Water Council Ground on July 20, 1835, used these words:

"And, now, let me ask you, what have you to gain by delaying this matter? Certainly nothing. You have tried various ways, for several years past, and every year your situation has been growing worse and worse, every overture for negotiation that has been rejected by you, and every exertion on your part to be reinstated into your former rights and privileges, and to expel the whites from among you, and to escape the force of the laws of the states over you, has not only failed to bring you the relief promised you by your lawyers and counsellors and chiefs; but it has been followed by more new and insupportable laws and measures. Your principal men have all been turned out of their possessions, or have become tenants at will to the citizens of Georgia. If you continue to cast away the very liberal and generous offers of the Government now made to you, you will even lose the sympathies of some of your best friends. You cannot mistake the policy of Georgia. She is determined to get rid of her Indian population and she will soon legislate you out of the country, by granting your possessions to her citizens, who claim the fee to your lands. And then where will you go? To Alabama or Tennessee? You know the whites there are as thick on your lands as they are in Georgia; and all places surrounded by emigrants are occupied by white men, as they have been in Georgia. You need not be surprised, if in such a case, the other states were

to pass laws that they would not permit the Indians from Georgia to settle within their bounds. Be not deceived. The citizens of the states of Alabama, Tennessee and North Carolina are as anxious to get rid of you as Georgia. And they lie still and hold back because Georgia is fighting their battles, as well as her own, with you; and this you will find when the crisis arrives to which I have just alluded; for they have, all of them, already extended their laws over you. Let me say to you, these evils are now at your door. If you reject these overtures you may look for them soon."

Verily, verily, the Indians' land grafter did not originate in Oklahoma.

EASTERN CHEROKEES

When it was decreed, in 1838, that the Cherokees should abandon their eastern homes and emigrate to the Indian Territory, about two thousand of them refused to go, and in order to escape from the soldiers who were rounding up the emigrants, they fled to the hills of Tennessee, Georgia and North Carolina. Their reservation was gone but they were permitted to remain in the East upon condition that they settle down and become citizens of the United States. A few years later, a Federal agent by the name of William H. Thomas, conceived the idea of securing a tract of land for them in North Carolina.

He proposed to withhold the payments of the per capita fund due them under the recent treaty of the Cherokee Nation with the Government and use that fund for purchasing a suitable tract of land for them near their former homes. Under this arrangement, Thomas collected $34,000 of their per capita fund and bought a tract of 38,000 acres in North Carolina. A year or two later he bought another tract of 13,000 at a cost of $17,000. Thomas took the title to these tracts in his own name, agreeing to deed to each Cherokee his proportionate share of the land. Before the individual deeds were executed, however, by some scheme of high financing, Thomas became insolvent and confessed judgment in the sum of $30,000 in favor of a man by the name of Johnson. The land was sold under execution at a sheriff's sale and Johnson bought it. The Cherokees brought suit in the United States Court to recover the land, and finally succeeded in securing title to the greater portion, but not all of the land purchased for them by Agent Thomas.

For many years these Eastern Cherokees were neglected by the Government. No United States agent was provided them from whom they might have secured advice and assistance in raising crops, but this attempt to defraud them of the lands which their own money had purchased, served to remind the Government of its duty toward them, and an agent was located among them in 1875, who aided them materially in establishing schools and in developing farms. Like their brothers in the West they, too, had suffered terribly from the ravages of the Civil war and were now striving to recover from the destitute condition in which that war had left them.

In after years various attempts were made by various state and Federal officials to induce this fragmentary band of Cherokees to join their brethern in Indian Territory and in 1883 an act of Congress was passed authorizing them to institute a suit in the United States Court of Claims to ascertain whether or not, at that late day, they would still be entitled to an equal share of the property of the Cherokee Nation. Suit was brought under the act above mentioned, but the Court of Claims decided adversely to them. Upon appeal to the United States Supreme Court the decision of the Court of Claims was upheld, the Supreme Court holding that:

"The Cherokees in North Carolina dissolved their connection with the Cherokee Nation when they refused to accompany the body of it on its removal, and have had no separate political organization since. * * * They ceased to be a part of the Cherokee Nation, and henceforth they became citizens of, and were subject to the laws of the state in which they resided. If Indians in that state (North Carolina) or in any other state east of the Mississippi River wish to enjoy the benefits of the common property of the Cherokee Nation, in whatever form it may exist, they must, as held by the Court of Claims, comply with the constitution and laws of the Cherokee Nation, and be readmitted to citizenship, as there provided. They cannot live out of its territory, evade the obligations and burdens of citizenship, and at the same time enjoy the benefits of the funds and common property of the Nation."

CHAPTER VI

UNION OF EASTERN AND WESTERN CHEROKEES, DELAWARES, FREEDMEN.

ACT OF UNION BETWEEN EASTERN AND WESTERN CHEROKEES 1838—ARTICLES OF AGREEMENT BETWEEN THE CHEROKEES AND DELAWARES—LIBERALITY AND PROGRESS OF CHEROKEES; THEIR FREEDMEN—PROPOSED DIVISION OF THE CHEROKEE NATION.

"Whereas, our fathers have existed as a separate and distinct nation, in the possession and exercise of the essential and appropriate attributes of sovereignty, from a period extending into antiquity, beyond the records and memory of man; and, Whereas, these attributes, with the rights and franchises which they involve, remain still in full force and virtue; as do also the national and social relations of the Cherokee people to each other, and to the body politic, excepting in those particulars which have grown out of the provisions of the treaties of 1817 and 1819, between the United States and the Cherokee Nation, under which a portion of our people removed to this country, and became a separate community; but the force of circumstances have recently compelled the body of the Eastern Cherokees to remove to this country thus bringing together again the two branches of the ancient Cherokee family; it has become essential to the general welfare that a Union should be formed and a system of government matured, adapted to their present condition, and providing equally for the protection of each individual in the enjoyment of all his rights.

"Wherefore, we, the people composing the Eastern and Western Cherokee Nation, in national convention assembled, by virtue of our original and unalienable rights, do hereby solemnly and mutually agree to form ourselves into one body politic, under the style and title of the 'Cherokee Nation.'

"In view of the union now formed, and for the purpose of making satisfactory adjustments of all unsettled business which

may have arisen before the consummation of this Union, we agree that such business shall be settled according to the provisions of the respective laws under which it originated, and the courts of the Cherokee Nation shall be governed in their decisions accordingly. Also, that the delegation authorized by the Eastern Cherokee to make arrangements with Major General Scott, for their removal to this country, shall continue in charge of that business, with their present powers until it shall be finally closed.

"And, also, that all rights and titles to public Cherokee lands on the East or West of the river Mississippi, with all other public interests which may have vested in either branch of the Cherokee family, whether inherited from our fathers or derived from any other source, shall henceforward vest entire and unimpaired in the Cherokee Nation, as constituted by this Union.

"Given under our hands, at Illinois Camp Ground, this 12th day of July, 1838.

"By order of the National Convention.

"GEORGE LOWREY,
"President of the Eastern Cherokees.
"GEORGE GUESS, his (X) mark,
"President of the Western Cherokees.

"EASTERN CHEROKEES

"R. Taylor, V. P.
"James Brown, V. P.
"Te-KE-chu-las-kee, V. P.
"George Hicks
"John Benge
"Thomas Foreman
"Archibald Campbell
"Jesse Bushyhead
"Lewis Ross
"Edward Gunter
"TE-nah-la-we-stah
"Stephen Foreman
"Daniel McCoy

"By order of the National Convention.

"JOHN ROSS,
"Principal Chief,
Eastern Cherokees.
"GOING SNAKE,
"Speaker of Council.

WESTERN CHEROKEES

"Tobacco Will, V. P.
"Dave Melton, V. P.
"John Drew, V. P.
"George Brewer
"Thomas Candy
"Mosses Parris

"James Campbell
"Looney Riley
"Charles Gourd
"Lewis Melton
"Young Wolfe
"Charles Coody
"Ah-sto-la-ta
"Jack Spears
"Looney Price.

"By order of the National Convention.

"August 23, 1839.

"JOHN LOONEY,
his (X) mark,
"Acting Principal Chief, Western Cherokees.

"The foregoing instrument was read, considered, and approved by us, this 23d day of August, 1839.

"Aaron Price
"Major Pullum
"Young Elders
"Deer Track
"Young Puppy
"Turtle Fields
"July
"The Eagle
"The Crying Buffalo

"And a great number of respectable old settlers and late emigrants, too numerous to be copied."

It would seem that the adoption of the foregoing "Act of Union" between the Eastern and Western Cherokees might have resulted in an amicable adjustment of their differences and brought about a reunion of the whole Cherokee family, but far from it. On the contrary, it was followed by one of the most bitter contests in the history of the Cherokee Nation.

In order to understand the situation among the Cherokees at that time, it should be remembered that they were divided into three factions or parties, each party separately petitioning the United States Government for a redress of grievances, and each faction antagonizing the claims of the other two.

First. The "Old Settlers." They became dissatisfied with the first treaty, the Hopewell Treaty of 1785, and began to emigrate westward in search of a new country where they would be free from molestation by white settlers. They floated down the Tennessee River on improvised boats, and on down the Ohio and Mississippi to the mouth of the St. Francis, then in the Spanish province of Louisiana, but now within the limits of the State of Arkansas. Here, upon foreign soil, they settled and began building homes. Numbers of Eastern Cherokees joined the new colony from time to time, until by 1817 their new colony along the Arkansas and White rivers had grown to 2,000 in population. By that time the United States had acquired the Spanish possessions of

the Mississippi Valley and made a treaty with the Cherokees who had gone West, confirming their right to the Arkansas lands.

Adjoining this new settlement on the West were some war-like Osages who began to annoy the newly-arrived Cherokees. The friction between the two tribes increased until 1818, when the Government induced the Osages to surrender possession of a tract of about three million acres which was ceded to the Cherokees, in redemption of the Government's promise to give them a western outlet without limit. This tract was designated the "Lovely Purchase," in honor of Major Lovely, the United States Indian agent, who negotiated the transfer. White intruders, however, followed this band of Cherokees to their new home, and allured by the fertile valleys of the Arkansas and White rivers, and by the Treaty of 1828, the Indians were induced to exchange their Arkansas possessions, except about two million acres of the Lovely Purchase which extended beyond the western boundary of Arkansas, for the Indian Territory reservation.

By virtue of these treaties and acts last mentioned the Old Settlers assumed the title of "The Cherokee Nation West," or "Western Cherokees," and claimed that those of their tribe remaining in the East had no right to any part of the Indian Territory lands, in other words that the "Cherokee Nation East" and the "Cherokee Nation West," had become separate and distinct organizations. At this time the "Old Settlers" or "Western Cherokees" numbered about three thousand, while there were still remaining in the East about seventeen thousand. As the Eastern Cherokees continued to be annoyed by the persistent encroachments of the white people of Georgia and other states, they became divided into two factions, known as the "Treaty Party" and the "Anti-Treaty Party."

Second. The Treaty Party, headed by John Ridge and Elias Boudinot, concluded that further opposition to the demands of Georgia and the United States that the Indians surrender their Eastern possessions was useless, and they consented to the Treaty of 1835, which provided for the surrender of the remaining portion of their Eastern lands, added 800,000 acres to the reservation in Indian Territory and provided for the removal of the Eastern Cherokees to Indian Territory.

Third. The "Anti-Treaty" Party, headed by John Ross, for many years chief of the Cherokees, fought the New Echota Treaty

bitterly, claiming that the parties who signed it on behalf of the Cherokees were not authorized to do so, and that the majority of his people would not consent to it.

The Treaty Party accepted the situation and joined the "Old Settlers" in Indian Territory, leaving John Ross and his "Antis," who constituted a majority of the Cherokee people, still contending for their rights in Georgia. The pressure of the United States authorities, combined with the arrogance and intimidation displayed by the authorities of Georgia soon convinced the Ross party that further resistance would result in bloodshed and possibly annihilation, and they reluctantly agreed to go West, John Ross having been given the contract to transport them, at a very remunerative price per head. Upon their arrival at Tahlequah, John Ross, being still in control of a majority of the Cherokees, proceeded to reorganize the tribal government, adopted the "Act of Union" between the Eastern and Western Cherokees, and in September, 1839, adopted a new constitution.

"ARTICLES OF AGREEMENT BETWEEN THE CHEROKEES AND DELAWARES,

"Made this 8th day of April, A. D. 1867, between the Cherokee Nation, represented by William P. Ross, principal chief, Riley Keys and Jesse Bushyhead, delegates, duly authorized, parties of the first part, and the Delaware Tribe of Indians, represented by John Connor, principal chief, Charles Journeycake, assistant chief, Isaac Journeycake, and John Sarcoxie, delegates for and on behalf of said Delaware Tribe, duly authorized, witnesseth:

"Whereas, by the 15th article of a certain treaty between the United States and the Cherokee Nation, ratified August 11, 1866, certain terms were provided, under which friendly Indians might be settled upon unoccupied lands in the Cherokee country, east of the line of ninety-six degrees of west longitude, the price to be paid for such lands to be agreed on by the Indians to be thus located and the Cherokee Nation, subject to the approval of the President of the United States; and, Whereas, by a treaty between the United States and the Delaware Tribe of Indians, ratified August 10, 1866, the removal of the said Delawares to the Indian country, south of Kansas, was provided for, and in the 4th article, whereof an agreement was made by the United States to sell to the Delawares a tract of land, being part of a tract the cession of which by the Cherokees to the United States was then contem-

plated; and, Whereas, no such cession of land was made by the Cherokees to the United States, but in lieu thereof, terms were provided as hereinbefore mentioned, under which friendly Indians might be settled upon their lands; and, Whereas, a full and free conference has been held between the representatives of the Cherokees and the Delawares, in view of the treaties herein referred to, looking to a location of the Delawares upon the Cherokee lands, and their consolidation with said Cherokee Nation: Now, Therefore, it is agreed between the parties hereto, subject to the approval of the President of the United States, as follows:

"The Cherokees, parties of the first part, for and in consideration of certain payments, and the fulfillment of certain conditions hereinafter mentioned, agree to sell to the Delawares for their occupancy, a quantity of land east of the line of ninety-six degrees west longitude, in the aggregate equal to 160 acres of land for each individual of the Delaware tribe who has been enrolled upon a certain register made February 18, 1867, by the Delaware agent and on file in the office of Indian affairs, being the list of the Delawares who elect to remove to the 'Indian country,' to which list may be added, only with the consent of the Delaware Council, the names of such other Delawares as may, within one month after the signing of this agreement, desire to be added thereto; and the selections of the lands to be purchased by the Delawares, may be made by said Delawares in any part of the Cherokee reservation east of the said line of ninety-six degrees, not already selected and in possession of other parties; and in case the Cherokee lands shall hereafter be allotted among the members of said Nation, it is agreed that the aggregate amount of land herein provided for the Delawares to include their improvements according to the legal subdivisions, when surveys are made (that is to say, 160 acres for each individual), shall be guaranteed to each Delaware incorporated by these articles into the Cherokee Nation; nor shall the continued ownership and occupancy of said land by any Delaware so registered be interfered with in any manner whatever without his consent, but shall be subject to the same conditions and restrictions as are by the laws of the Cherokee Nation imposed upon the native citizens thereof; provided, that nothing herein shall confer the right to alienate, convey, or dispose of any such lands, except in accordance with the constitution and laws of said Cherokee Nation.

"And the said Delawares, parties of the second part, agree that

there shall be paid to the said Cherokees, from the Delaware funds, now held or hereafter received by the United States, a sum of money, equal to $1 per acre, for the whole amount of 160 acres of land, for every individual Delaware who has already been registered upon the aforesaid list, made February 18, 1867, with the additions thereto, heretofore provided for. And the Secretary of the Interior is authorized and requested to sell any United States stocks belonging to the Delawares, to procure funds necessary to pay for said lands; but, in case he shall not feel authorized, under existing treaties, to sell such bonds belonging to the Delawares, it is agreed that he may transfer such United States bonds to the Cherokee Nation, at their market value, at the date of such transfer. And the said Delawares further agree, that there shall be paid, from their funds, now or hereafter to come into possession of the United States, a sum of money, which shall sustain the same proportion to the existing Cherokee National fund, that the number of Delawares registered as above mentioned, and removing to the Indian country, sustains to the whole number of Cherokees residing in the Cherokee Nation.

"And, for the purpose of ascertaining such relative numbers, the registers of the Delawares herein referred to, with such additions as may be made within one month from the signing of this agreement, shall be the basis of calculation as to the Delawares; and an accurate census of the Cherokees, residing in the Cherokee Nation, shall be taken, under the laws of that Nation, within four months, and properly certified copies thereof filed in the office of Indian Affairs, which shall be the basis of calculation as to the Cherokees. And, that there may be no doubt hereafter, as to the amount to be contributed to the Cherokee National fund by the Delawares, it is hereby agreed, by the parties hereto, that the whole amount of the invested funds of the Cherokees, after deducting all just claims thereon, is $678,000. And the Delawares further agree, that in calculating the total amount of said National fund, there shall be added to the said sum of $678,000, the sum of $1,000,000, being the estimated value of the Cherokee neutral lands in Kansas, thus making the whole Cherokee National fund $1,678,000, and this last mentioned sum shall be taken as the basis for calculating the amount which the Delawares are to pay into the common fund; provided, that, as the $678,000 of funds now on hand, belonging to the Cherokees, is chiefly composed of stocks of different values, the Secretary of the Interior may transfer, from

the Delawares to the Cherokees, a proper proportion of the stocks now owned by the Delawares, of like grade and value, which transfer shall be in part of the pro rata contribution herein provided for by the Delawares to the funds of the Cherokee Nation; but the balance of the pro rata contribution by the Delawares to said fund, shall be in cash or United States bonds, at their market value. All cash, and all proceeds of stocks, whenever the same may fall due or be sold, received by the Cherokees from the Delawares under this agreement, shall be invested and applied in accordance with the 23d article of the treaty with the Cherokees of August 11, 1866.

"On the fulfillment by the Delawares of the foregoing stipulations, all the members of the tribe, registered as above provided, shall become members of the Cherokee Nation, with the same rights and immunities, and the same participation (and no other), in the national funds, as native Cherokees save as hereinbefore provided. And the children hereafter born of such Delawares so incorporated into the Cherokee Nation, shall in all respects be regarded as native Cherokees.

"Wm. P. Ross, Principal Chief.
"Riley Keys,
"Cherokee Delegation.
"John Connor (X) his mark,
Principal Chief,
"Charles Journeycake,
"Isaac Journeycake,
"John Sarcoxie (X) his mark,
"Delaware Delegation.

"Executed and delivered in our presence by the above-named delegates of the Cherokee and Delaware Nations, at the City of Washington, in the District of Columbia, the day and year first above written.

"John G. Pratt,
"Wm. A. Phillips,
"Edward S. Menagus,

"Ratified by the National Committee, June 15, 1867.

"Smith Christie,
"President National Committee.
"Jno. Young,
"Speaker of Council."

In 1872 the Delaware Indians, numbering about three hundred, who had previously left the Cherokee Nation and had settled among the Peorias on the Neosho River, threw aside their old prejudices and returned to the Cherokees, settling principally on Caney Creek, in the northern part of the Territory. They settled down and went to work earnestly, building homes and developing farms, and at present are prosperous and contented.

LIBERALITY AND PROGRESS OF CHEROKEES—THEIR FREEDMEN

While the Cherokees have retained their distinctive features as an Indian tribe, yet they have been more liberal than any other tribe in the matter of welcoming outsiders to their midst. They have admitted many Indians of other tribes and more white men than any other tribe to the rolls of their citizenship. Among their families may be traced the blood of the Delawares, Choctaws, Creeks, Shawnees and other Indians, as well as that of the English, Scotch, Irish, German, Swede and American. While it is claimed by some ethnologists that such a mixture of the blood of many nationalities tends toward deterioration, yet the fact remains indisputable that the Cherokees have reached a higher stage of civilization than any other Indian tribe.

They were the first tribe to adopt a written constitution. In 1828, while they were yet living in Georgia and of practically pure Indian blood, they adopted their first constitution, which was patterned largely after that of the United States, but modified to suit their own condition and needs.

This constitution, with slight modification, was re-adopted at Tahlequah, by the reunited Eastern and Western Cherokees, on September 6, 1839, being the year following their emigration to Indian Territory. This constitution has remained the fundamental law of the tribe for almost a century, it being necessary, however, to slightly amend it on November 26, 1866, to conform to the provisions of their final treaty concluded with the United States on July 19, 1866. The most important provision of these amendments provides as follows:

"All native-born Cherokees, all Indians and whites legally members of the nation by adoption, and all freedmen who have been liberated by voluntary act of their former owners or by law, as well as free colored persons who were in the country at the

commencement of the rebellion, and are now residents therein, or who may return within six months from the 19th day of July, 1866, and their descendants, who reside within the limits of the Cherokee Nation, shall be taken and deemed to be citizens of the Cherokee Nation."

The amendment just quoted caused much dissatisfaction and lamentation among the Cherokee people and continues to this day to be a bone of contention among them.

That amendment gave the freedmen a share in the property of the Cherokee Nation, and it is claimed by some of the tribe that the United States compelled them to agree to that provision in their treaty of 1866 as a punishment for the aid which the Cherokees rendered to the Southern Confederacy during the Civil war. The loyal Cherokees, especially those who lost all their property and were compelled to flee from their homes and tramp their way to Kansas or Missouri on account of their loyalty to the Government, still regard that punishment as unjust and undeserved. An attempt is now being made by the Cherokees to persuade the Government to reimburse them for the property which they unwillingly gave to the Negroes.

PROPOSED DIVISION OF THE CHEROKEE NATION

After most of the Cherokees had emigrated to Indian Territory the bitter contest between the Ross faction and the Ridge faction continued and at one time the Committee on Indian Affairs of the lower house of Congress made the following report and recommendation:

"The Committee on Indian Affairs, to whom were referred the message of the President of the United States, relative to Cherokee difficulties, with the accompanying papers, and also the memorial of John Ross and others, as the representatives of the Cherokee Nation, have had the same under consideration, and beg leave to submit the following report:

"The Cherokees residing west of the State of Arkansas are divided into three districts, parties or factions, well known and distinguished by the terms of 'old settlers,' 'treaty party,' and 'anti-treaty,' or 'John Ross' party. The 'old settlers' and treaty party together constitute about one-third of the Cherokee Nation; and of course all the political power of the Government is held and exercised by the anti-treaty or Ross party. The manner in

which this power was obtained, and is now exercised, is the fruitful source of the discontent and complaints which have been brought to the consideration of Congress.

"The old settlers, who were the pioneers of the Cherokee people who had long claimed to be a district and independent community, and who aver that they believed the whole country known as the Cherokee Nation, with the exception of the 800,000 acres which have been acquired since the year 1835, to be rightfully vested exclusively in them, are restive and submit with great impatience to rulers chosen by strangers and intruders, and to laws enacted without their consent. The treaty party represent themselves as feeling no security of person or property under the administration of the dominant party. Many of their leaders, endeared to them in a thousand ways, have been cruelly murdered, and the perpetrators of the murders have escaped unpunished. They are for the most part, denounced as traitors, and the sentence of outlawry has been passed. Day after day witnesses the shedding of blood, and the cries of lamentation and distress are heard throughout the land. Some of this party are in a state of banishment, and a large portion of them having fled their country, are now actually supported by the charity of the United States.

"A conviction of their own weakness, and the necessity of union connected with the oppression and injustice which they suppose themselves alike to have endured at the hands of the dominant party, and produced a strong community of feeling, a deep sympathy for each other, collectively and individually between the 'old settlers' and the ' treaty party.' To the individual Indians who compose these two parties, the Government of the United States is largely indebted; and to abandon them now, to be despoiled of every right which they have heretofore enjoyed, voluntarily to leave them the subjects of a reign of terror, liable at any moment to be stripped of property or life, without recourse, would be an act of the most flagrant injustice and the grossest ingratitude.

"It has long been a cherished policy on the part of the United States to remove the Cherokees from the states east of the Mississippi River to a country west, beyond the jurisdiction of any state or territory. The old settlers, at an early day, cheerfully came into the views of the Government, and contributed their influence and example in effectuating its purposes. These kind services

should be remembered, and the claims of these persons upon our protection and guardian care, must be favorably considered.

"Before the Treaty of 1835, the Cherokee Council issued a decree that any individual of that tribe who should sign a treaty for the cession of the Cherokee country should be considered as a traitor, and as such should be regarded as an outlaw. Notwithstanding this sentence and fearful penalty, after the Cherokee Nation was involved in the most perplexing difficulties with the State of Georgia, which, if persisted in, were calculated to disturb the peace and good feeling of the people of the whole Union; and after it became evident that to remain longer in their old country was destructive to their prosperity, and even of their national existence, and that the only means of saving their own people, and of removing from the states and the general government, the perplexing questions of conflicting jurisdictions which had sprung out of their remaining on this side of the Mississippi River, was to treat for the cession of all their country within the states; the treaty party, with a firmness of nerve and a purity of purpose which reflected upon them high honor, came forward, at the most earnest solicitation of the United States, entered into a treaty in the year of 1835, in the face of the most violent opposition; braved the most unmeasured denunciations; and in this manner, enabled our Government to avoid a conflict which threatened to shake our institutions to their very foundations.

"The committee feel unwilling that these individuals should suffer at the hands of a vindictive majority, for acts performed at our instance, as long as we possess the power to throw our shield of protection over them.

"'These 'old settlers' and 'treaty party' appeal to us to save them from the evil effects of domestic strife; to give them a country where they may live under their own laws, customs, and headmen, unmolested by a domestic foe who seeks their destruction, to deliver them from oppression and misrule, which, if not arrested, must end in their annihilation. The facts which they set forth, and on which they rely, to sustain them in their prayer are satisfactorily proven by the mass of testimony submitted to the committee. The reasonableness and justness of this appeal, therefore, readily commends its adoption; and a bill is herewith reported for the appointment of three commissioners, to make an equitable division of the country between them and the Ross party.

"As to the policy and good effects of this dismemberment of the nation, there can be but one opinion: division must be made; this people must be separated; the continuance of the present social compact, unchecked and unrestrained as it exists at present, will inevitably end in the final destruction of the minority parties. On this subject the committee are unanimous. The only question that can be raised, that deserves serious consideration is the one relied upon in the memorial of John Ross and others, who claim that the Cherokee Nation is one community, who have guaranteed to them, by solemn treaty the right to establish and enjoy a government of their choice and to perpetuate such a state of society as may be consonant with their views, habits and conditions, and may tend to their individual comfort, and their advancement in civilization, and from this treaty stipulation they deny to Congress all power whatever to divide the country between any bands or parts of the nation. They refer to that clause of the treaty wherein 'the United States agree to protect the Cherokee Nation from domestic strife and foreign enemies, and against internecine wars between the several tribes;' and consider it similar to that provision in the constitution which says 'the United States shall guarantee to every State in this Union a Republican form of government, and shall protect each of them against invasion on application of the Legislature or of the executive (when the Legislature cannot be convened) against domestic violence.' They then proceed with the argument: 'It cannot be pretended that such interposition can be made by the Federal Government upon the application of an individual citizen, or any number of citizens of a state, complaining that the laws of the state are oppressive or that they are oppressively administered or executed; such an interpretation would annihilate state sovereignties, and would inevitably excite the domestic strife it pretended to suppress.' The committee have desired to present, in all fairness the position taken by the dominant party of the Cherokee Nation, because they feel unwilling to violate the constitution or to assume power to accomplish the most cherished object.

"But the whole argument is based upon a most palpable error. Indian nations are not sovereign states or independent governments; on the contrary, they are considered as dependents; the fee simple of the very land they occupy is vested in the United

States, and the Indian occupies the position of the ward, and the United States as the guardian and protector.

"It is true that time after time treaties have been made with the different tribes, which have been conducted and ratified with all the form and circumstance pertaining to a similar arrangement with the most powerful nation on earth; but, in all this, there has been exhibited a strange anomaly in the science of diplomacy. The United States never have treated with an Indian nation as an equal. Our commissioners draw up the treaties, our authorities construe them, our agents execute them and our sense of right and our views of good policy have ever prevailed, and in no position have we forgotten that they are the weaker, the dependent party; that these treaties are to be construed as contracts and that interpretation is to be adopted which is most favorable to the Indian interests, and most conducive to his happiness and advancement. And in the history of this very tribe of Indians, we have a most striking example of the interference of our Government for the contentment and happiness of the Cherokees. Nearly thirty years ago, a difference between the various bands of this tribe manifested itself, growing out of the preference of the one party for the chase and the hunter's life, and of the other for agriculture and the arts of civilization; and this led to a treaty by virtue of which the different parties voluntarily separated, and a district and far distant country was assigned to the then emigrating party, and to such as might be induced to follow. It is true that this appears to have been done by the mutual consent of all the Cherokee people.

"But no one can doubt that the same thing would have been allowed and sanctioned upon the petitions of the one side and protest of the other. And in the present case no one could doubt that it would be clearly within the range of our discretion to invite these minority and oppressed parties to leave their country altogether, and to locate on another and different tract of country. This appears to the committee so self-evident that all argument would be superfluous. Then let us suppose that the present Cherokee country is vested in all the tribe, and held by them as tenants in common; can any one entertain a reasonable doubt that, should Congress believe a division of the country between the different bands or factions is necessary to save them from domestic strife, to secure to them life and the untrammelled pursuit of

happiness, to give them contentment, and advise them in civilization, they have not the power? On the contrary, would not a refusal or a failure to act, in view of the consequences, be in the highest degree culpable? And should blood be shed, and the happiness of a people destroyed by this omission, with what justice could we claim to be guiltless and to hold our skirts to be clear? The position we occupy, of guardian to this people, and the obligation we have taken upon ourselves to protect them from domestic strife, impose upon us the duty of affording some remedy for existing evils; and in the estimation of the committee, none is more effective than a division of the country, and a separation of these embittered parties, leaving each to make their own customs and forms of government and choose their own head men and rulers.

"It has been the uniform custom of the United States Government during the whole course of its history to deprive no Indian tribe of the land of which they were found possessed, without first obtaining their consent in some satisfactory form. Possessed of unlimited power, the United States has exercised it with delicacy, forbearance and a due regard for the feelings, interests, and even superstitions of the Indians nor could your committee now give their assent to any other line of policy. They would be unwilling that our Government should expel the Cherokee people from one acre of land assigned them in order to make way for the settlement of our own citizens.

"But in this division the United States is a disinterested party. A common inheritance is to be divided by a paternal guardian between the heirs who are embittered and deadly hostile to each other, in order to restore to them peace, contentment, personal security and prosperity.

"In the bill reported by the committee, a change in the intercourse laws is proposed for the purpose of the more effectual suppression of vice and certain punishment of crime. The outrages upon all law and humanity which have been committed in the Cherokee country and have passed away in many instances without investigation, and seldom with the punishment of the offenders, have rendered this change necessary and proper; and the more so, when there are plausible grounds not wanting to suspect the Cherokee authorities of instigating, or at least conniving at, the commission of these crimes.

"But the question is again raised: has Congress the power to make the proposed change in the intercourse law so as to confer upon the Federal courts the power of trying an Indian for offenses committed against the person and property of an Indian and to make the same applicable to the Cherokee Nation? The Treaty of 1835 is relied upon as limiting the power of Congress over this and it is true that by the fifth article of this treaty, it is agreed that the United States will secure to the Cherokee Nation the right of their national councils to make and carry into effect such laws as they may deem necessary for the government and protection of the persons and property within their own country belonging to their people.

"But a proviso immediately follows that such laws shall not be inconsistent with the Constitution of the United States, and such acts of Congress as had been or might be passed, regulating trade and intercourse with the Indians. At the December term of the Supreme Court of the United States for the year 1845, in the case of the United States vs. Rogers, which came up from the State of Arkansas upon a certificate of division between the justices who held the Circuit Court of that state, this identical point was made, and Chief Justice Taney delivered the opinion of the court in these terms:

" 'It is our duty to expound and execute the law as we find it; and we think it too firmly and clearly established to admit of dispute, that the Indian tribes residing within the territorial limits of the United States are subject to their authority; and when the country occupied by them is not within the limits of one of the states, Congress may, by law punish any offenses committed there, no matter whether the offender be a white man or an Indian.'

"This opinion of the court covers the whole ground, and supercedes the necessity of further argument on the part of the committee. Provision is also made in the bill reported for the emigration and subsistence of those Cherokees who still remain in the State of North Carolina; and an election between the parties is given to the emigrating Cherokee on his arrival among his brethren in the West, and he is allowed to settle down and affiliate with that band or division which he may prefer.

"This is an act of sheer justice, not only to the unfortunate Indian who lingers behind away from his brethren, but also to the State of North Carolina, which has been burdened and molested

with this population. And to this section no objection is anticipated.

"The committee omit by design the expression of any opinion as to the claims for money which are set up by the different parties. This whole matter is now a subject of investigation in the War Department, and no satisfactory conclusion could be attained without further and more definite information."

CHAPTER VII

INDIANS IN THE CIVIL WAR OF 1861 TO 1865

CONFEDERATE STATES COMMISSIONER'S ADDRESS TO INDIANS—AN INDIAN AGENT'S REPORT—ANOTHER AGENT'S STATEMENT—GENERAL STAND WATIE—THE FORT GIBSON NATIONAL CEMETERY

The impartial student of history, in reviewing the events of 1860-1861, cannot fail to be impressed with the fact that the United States authorities were guilty of nothing less than gross neglect, supineness and ignorance in their treatment of the Indians at the beginning of the Civil war.

The Indians were Southerners by birth, by ancestry, by education, by environment.

Many of them were slave-holders and large amounts of their trust funds were invested in southern securities.

These facts were well known by the Federal Government and should have prompted it to redouble its efforts to preserve the loyalty of the Indians. Instead, however, of strengthening the various army posts in the Indian country, at the very time when soldiers were needed to quell insurrections, to check the ravages of lawless bands of pillagers and to augment the faith of the Indians in the Government's ability and desire to protect them and their families, the Government withdrew nearly all of the soldiers stationed in the Territory, sending them to Kansas and Missouri, leaving the Indians entirely unprotected, and causing them to believe that the Government was forsaking them. It was very natural, therefore, that the Indians should lend a listening ear to the specious pleas urged upon them by the numerous emissaries sent from Texas and Arkansas to urge them to declare allegiance to the Southern Confederacy. "Don't you see that the Yankees are deserting you?" these wily emissaries exclaimed, as they pointed to the depopulated army posts. "Unite with us and we will protect your families and your property. Your moneys

are invested in the South and we will see that they are paid over to you. The Yankee Government is rapidly crumbling and the South is sure to win. The North would free your slaves but we will see that they are not taken away from you."

Such plausible argument, supplemented by the energetic efforts and personal visitations of such prominent, influential Confederates as Gen. Albert Pike and General McCulloch, resulted in creating a strong Southern sentiment among the Indians and in weakening their faith in the Federal Government.

The Chickasaws were the first of the Five Tribes to take formal action looking toward an alliance with the Southern Confederacy at the outbreak of the Civil war. On January 5, 1861, the Legislature of that Nation held a special session and adopted a resolution calling upon the various tribes to send delegates to a general convention to be held at such place and time as the chief of the Creek Nation might designate, for the purpose of entering into some compact, not inconsistent with the laws and treaties of the United States, for the security and protection of the rights and citizens of said nations, in the event of a change in the United States, and to renew the harmony and good feeling already established between said nations by a compact entered into on the 14th day of November, 1859, at Asbury Mission, Creek Nation.

On the 4th day of the following month, Jacob Derrysaw, acting chief of the Creek Nation, sent notices to the neighboring chiefs announcing that he had fixed upon the 17th day of February as the date of holding said convention, and inviting each nation to send delegates to Asbury Mission, near Eufaula, on that day.

On February 9, 1861, Chief John Ross replied to the foregoing invitation in a communication to Governor Harris (Chickasaw) as follows:

"I was much surprised to receive a proposition for taking action so formal on a matter so important, without having any previous notice or understanding about the business, which might have afforded opportunity to confer with our respective councils and people. Although I regret most deeply the excitement which has arisen among our white brothers, yet by us it can only be regarded as a family misunderstanding among themselves. And it behooves us to be careful, in any movement of ours, to refrain from adopting any measures liable to be misconstrued or misrepresented; and in which (at present, at least) we have no direct

and proper concern. I cannot but confidently believe, however, that there is wisdom and virtue and moderation enough among the people of the United States, to bring about a peaceable and satisfactory adjustment of their differences.

"And I do not think we have the right to anticipate any contingency adverse to the stability and permanency of the Federal Union. Our relations with the United States are clear and definite, and the obligations growing out of them easily ascertained. And it will ever be our wisdom and our interest to adhere to those obligations, and carefully guard against being drawn into any complications which may prove prejudicial to the interests of our people, or imperil the security we now enjoy under the protection of the Government of the United States as guaranteed by our treaties.

"In the very worst contingency that can be thought of, the great national responsibilities of the United States must and will be provided for. And should a catastrophe such as that referred to in (your) communication unhappily occur, then will be the time for us to take the proper steps for securing the rights and interests of our people.

"Out of respect for the chiefs of the neighboring nations, and from the deep interest I feel for the peace and welfare of our red brethren, I have deemed it proper to appoint a delegation to attend the council appointed by the Creek chief at your request, on the 17th inst. at the General Council House of the Creek Nation, for the purpose of a friendly interchange of the views and sentiments on the general interests of our respective nations."

Chief John Ross, however, appointed a delegation of Cherokees to attend the convention and gave them the following instructions:

"Our duty is very plain. We have only to adhere firmly to our respective treaties. By them we have placed ourselves under the protection of the United States and of no other sovereign whatever. We are bound to hold no treaty with any foreign power, or with any individual state, nor with citizens of any state. Nor even with one another without the interposition and participation of the United States."

The conference at Asbury Mission proved a complete failure. The Cherokees, Creeks and Seminoles sent delegates, but the representatives of the Chickasaw and Choctaw nations failed to attend. No reason was assigned for their absence, but it is only

fair to presume that the letter of John Ross convinced the Chickasaws that their proposition would not be favorably considered. Buchanan's administration was still in power at Washington and nearly every Indian agent and almost every Federal official in this section of the country was a southerner and in sympathy with the Secession movement. Many of them, while still in the service of the United States, openly advocated secession and used every influence at their command to induce the Indians to join the southern confederacy.

R. J. Cowart, United States Indian agent for the Cherokees, was charged with publicly advocating the Southern cause.

Governor Rector of Arkansas wrote a letter to John Ross and sent Colonel Gaines, a member of his staff, to personally urge the Cherokees to unite with Arkansas in support of the Southern Confederacy. The reply of Chief Ross to Governor Rector expressed sentiments almost identical with those contained in his letter to the Chickasaw governor, above quoted.

In May, 1861, Gen. Albert Pike and General McCulloch, both of Arkansas, visited John Ross at his home at Park Hill, a few miles south of Tahlequah, and urged him to join the rebellion, but Ross still refused. Pike succeeded, however, in stirring up some sympathy for the Southern cause among certain members of the Ridge party, one of whom was Stand Watie, and was much more successful in his conferences with the Creeks and other tribes. Stand Watie was one of the first and most active of the Cherokees to espouse the Southern cause. As the successor of John Ridge, as leader of the so-called "Ridge" party, which had opposed Chief John Ross ever since the conclusion of the New Echota Treaty, he was in a position to wield great influence among his people, and he used that position to promote the interests of the Confederate cause and to break down the prestige which Ross had possessed for so many years among the Cherokee people.

Watie organized a regiment of Indian soldiers and joined the Confederate army. In his efforts to induce the Cherokees to join the Southern Confederacy General Pike was ably assisted by Gen. Ben McCulloch. Both of these men stood high in the estimation of the leaders of the South; both were shrewd, able and convincing in their arguments; both had seen service in the Mexican war; both were proficient in the science of warfare. Pike had been a student in Harvard College and was an author of some repute.

Failing, however, to induce Chief John Ross to declare allegiance to the South, they did what they could in the way of stirring up opposition to Ross among the followers of John Ridge, of whom Stand Watie was the recognized leader, then departed to hold consultations with the leaders of the other Indian tribes on the west and south. There they were more successful. On July 10, 1861, they were successful in making a treaty with the Lower Creeks, although Opothleyohola, the Creek Chief, positively refused to join them. During the summer of 1861 Pike and McCulloch, aided by the disloyal Federal agents, succeeded in persuading several other tribes to cast their fortunes with the South. In the meantime southern sympathizers were active among the Cherokees. Stand Watie had organized his regiment known as the Second Mounted Rifles, expressly for service in the Confederate army. Col. John Drew had organized the First Regiment Mounted Rifles, which, at first, was intended as a home guard organization to protect the Cherokees from marauding bands and invading forces from any direction, but which soon was induced to fly the Confederate flag. Some of the enlisted men, desiring to remain neutral and some who were not willing to violate their treaty obligations with the Federal Government, deserted the regiment and returned to their homes. While many of the Indian soldiers enlisted with the understanding that they were not to be taken away from home to fight, yet soon after they were organized, the two Cherokee regiments were marched across the Arkansas line, where they took an active part on the Confederate side, in the famous battle of Pea Ridge, March 6, 7 and 8, 1861. This battle resulted disastrously to the Confederates and Gen. Ben McCulloch, commander of the Indian forces was killed. The discouraging outcome of the battle, coupled with the fact that the Indians were poorly fed and cared for, together with the fact that the Indians had been opposed to being taken away from their own territory to fight, resulted in still greater dissatisfaction among the enlisted men and an increasing number of them deserted the army and returned to their homes. Following the battle of Pea Ridge, Stand Watie's regiment of Cherokee Mounted Rifles engaged in several skirmishes in Arkansas, but soon found its way back to the Cherokee Nation where it continued to render valuable assistance to the Confederate side. The Federal authorities continued their shameful policy of leaving the Indians to look out for

themselves while the Confederate leaders, aided by disloyal Federal agents, kept busy sowing the seeds of Secession. Many of the Indians who were disposed to remain loyal to the North became discouraged, and feeling that they were being deserted by the North, were easily persuaded that their only safety lay in their casting their fortunes with the South. Southern sentiment continued to develop rapidly, with no organized effort on the part of the Government to counteract it, and when Gen. Albert Pike and his lieutenants returned to the Cherokee Nation in August, 1861, after having made treaties with several other Indian tribes, he was met with a much more friendly reception than was accorded him during his previous visit in March. Political excitement had been wrought up to the highest pitch and a fierce internecine war was threatened between the two Cherokee factions. In order to avert this a mass convention was held at Tahlequah on August 21, 1861, which was attended by about four thousand citizens, including many of the soldiers of John Drew's and Stand Watie's regiments. Resolutions were adopted endorsing the position of neutrality which John Ross had advocated, expressing a desire to maintain friendly relations with neighboring states and tribes, declaring that there should be no distinctions between full-bloods and mixed bloods, repudiating the charge of their being abolitionists and recognizing the right of property in negro slaves.

The convention's last act was the adoption of the following resolution:

"Resolved, that reposing full confidence in the constituted authorities of the Cherokee Nation, we submit to their wisdom the management of all questions which affect our interests growing out of the exigencies of the relations between the United States and the Confederate states of America, and which may render an alliance on our part with the latter states expedient and desirable."

Confederate emissaries continued their active propaganda among the Cherokees, even going to the extent of agreeing to pay them the amounts due them under their treaties with the United States. Some money was paid over but the soldiers claimed they were not getting their rightful share.

The influence of the slave-holding element, combined with the pressure brough to bear upon the Indians by the presence of several companies of Confederate soldiers, overpowered the senti-

ment in favor of remaining true to their treaty obligations to the Federal Government so that when General Pike and his party returned to Tahlequah in the early autumn he found a much friendlier feeling prevailing, and on October 7, 1861, he succeeded in inducing the Cherokees to conclude a treaty with the Confederate Government.

The southern branch of the Creeks, under the leadership of Colonel McIntosh had already made a similar treaty, although the venerable chief, Opothleyohola, refused to become a party to it and avowed his determination to remain loyal to the Federal Government. He organized a regiment of loyal Creeks and engaged in several battles with the Confederates, but his regiment was poorly equipped with guns and ammunition and he was soon overpowered and compelled to flee to Kansas. After the ratification of the Cherokee Treaty many of the loyal Cherokees were also compelled to abandon their homes, some seeking shelter in Kansas, while others tramped their way to Missouri.

An account of the wanderings and suffering of these refugee Indians will be found in another chapter.

Albert Pike, the Confederate general who had been so active during the first year of the war in inducing the various Indian tribes to join the Confederacy, was sent farther south, making his headquarters in the Choctaw Nation, where it was believed that he could hold the Choctaws and Chickasaws in line, and at the same time protect Fort Smith from capture by the Yankees. The verbose promises which he had made to the Cherokees and Creeks were not being fulfilled. The Indian soldiers were not being paid nor provisioned as they expected and their families were not being protected in their homes as Pike had promised. As a result many of them became dissatisfied and deserted the Confederate army, some of them returning to their homes while others joined Colonel Phillips' regiment of Union soldiers then in possession of Fort Gibson. Col. John Drew lost several companies of his soldiers by these desertions, but Stand Watie was able to hold nearly all of his men in line.

As an example of the earnest appeals which were repeatedly made by Confederate emissaries to the various Indian tribes to maintain the allegiance with the South the following address is quoted, copies of which were sent by special messengers to all the tribes mentioned. The author of the address, Mr. S. S. Scott, was

appointed by Jefferson Davis as a special commissioner to the Indian tribes:

"Confederate States of America,
"War Department, Bureau of Indian Affairs,
"Richmond, Va., December 26, 1862.

"To the Choctaws, Chickasaws, Cherokees, Creeks, Seminoles, and All Other Indian Nations and Tribes Friendly to the Confederate States:

"My Friends: I have just returned to Richmond, the capital of the Confederate states, from your beautiful country. To visit you I have travelled over six hundred miles in the last four months. The president of the Confederate states, one who loves you well, commanded me to make this journey, to see you at your homes, to converse with you face to face, in order that the Government might be placed in possession of certain and reliable information in regard to your wants and necessities, and the condition of your country.

"During my stay in the Indian Territory, where I was treated by you with every kindness and courtesy, I had repeated talks with many of you. The facts obtained from you in those interviews have been treasured up in my memory, and shall be fully communicated to the Government. In the meantime, however, I desire to say a few additional words to you, and I trust you will give to them due consideration.

"In the early part of the year 1861 Gen. Albert Pike, of Arkansas, was sent as a commissioner to your country to explain to you the facts in relation to the organization of the Confederate government, and to request you to extend to it the hand of peace and friendship. In pursuance of the authority with which he was invested, before the close of the year he concluded treaties with all of you. These treaties have since been properly ratified, and you thereby became the allies of the Confederate states.

"The Government, in making these treaties with you, consulted your welfare and happiness as well as its own. By reference to them it will be perceived that every provision is marked by justice and liberality. Many rights and privileges are thereby extended to you which were persistently denied you under the old government. In short, by the terms of these treaties you are made to occupy a high and exalted position—one adapted to your civiliza-

tion and advancement, and suited to your pride and independence of character.

"You are allowed delegates in Congress whose exclusive duty consists in watching over and guarding your interests.

"The establishment of courts in your midst is provided for, so that you are not compelled to go for justice to the tribunals of neighboring states, but can have it administered to you at home.

"The payments of all moneys, whether due to you from the old government, or any of the states which composed it, is secured to you.

"The peaceful and uninterrupted possession and enjoyment of your country forever is guaranteed to you, and the power of the Confederate government is pledged to assist you in defending it at all times and against all enemies.

"From the character of these treaties it seems that the bond of friendship thus formed between the Confederate states and yourselves ought to endure forever, and such it is confidently believed will be the fact; for, in addition to the reasons already enumerated, there yet remain other and most potent ones why it should be so.

"The people of the Confederate states are emphatically your friends and brothers. You are, in every sense of the word, southern. The South was the home of your fathers. It was within the shadow of her deep forests and by the side of her sparkling streams that they sported in their infancy and hunted deer and bear in their manhood, and it is in the bosom of her green valleys that their bones now lie buried. The territory which you now occupy, and which has been set apart for you and your children forever, is southern territory. Your language is southern; your habits, your manners, your customs are southern; and your interests are all southern.

"I have said your interests are all southern. Herein, the war, which is being waged upon the confederates by the northern states, directly affects you—affects you to the same extent that it does them. It is for your degradation and abasement, for the destruction of your property, for the overthrow of your institutions, as well as theirs. Slavery with you is as obnoxious to the fanaticism of the North as it is in the Confederate states, and could that government subjugate them and deprive them of their slaves, it

would not be long in taking yours from you also. But this is not all. After having dispossessed you of your slaves, it would fasten upon your rich and fertile lands and distribute them among its surplus and poverty-stricken population who have been looking toward them with longing hearts for years.

"A word now in regard to the fortunes of the war. Within the last two years many battles have been fought. Some of these were on a scale of the greatest magnitude. In all of them, away from water-courses, the Confederate troops, although greatly outnumbered, have uniformly proven victorious. Only a few days ago the Grand Army of the North was defeated, with a loss in killed and wounded of about twenty thousand men, at Fredericksburg, in this state, by the Confederate forces under General Lee. There is but little doubt that the results of the future battles will be similar in character to those of the past. The southern Indian is the fighting Indian; the southern white man is the fighting white man, and they can never be subdued by northern arms. As well might a single individual attempt to stay the sweep of a prairie fire.

"Some delays have now and then occurred in the fulfillment of certain of the promises made to you by the Confederate government. This could not be prevented. They were the result exclusively of this great and terrible war. Recollect this fact, should similar delays hereafter ensue. The Confederate government will comply strictly with all of its engagements to you. Bear this always in mind, and never suffer yourselves to doubt it.

"In conclusion I will remark, that by a proper use of the facilities for advancement which the government of the Confederate states has placed within your reach, and under its fostering care and protection, inhabiting, as you do, a country healthful, finely watered, and possessed of every advantage of soil and climate, it will be easy for you in a few years to become powerful and prosperous nations. That you may energetically direct your efforts to the accomplishment of this great end, and that such efforts in connection with those of the Government in your behalf, may be crowned with success, is the earnest wish and full expectation of the President and people of the Confederate states.

"Your friend,

"S. S. Scott, Commissioner."

AN INDIAN AGENT'S REPORT

Mr. J. Harlan, who was United States Indian agent for the Cherokees during the Civil war gives the following account of his stewardship on August 1, 1865:

"I was appointed United States Indian agent for the Cherokees on September 19, 1862, and since that time I have been almost constantly with them. Living most of the time at Fort Gibson, guarded by three regiments of Indians, and in the Indian country where the loyal refugee Indians came for protection, I had many opportunities of seeing and hearing what their wants were. There were about twenty-two thousand Cherokees at the beginning of this rebellion, of whom 8,500 joined the Rebellion and went south, 13,500 remaining in the nation. Many of the men who joined the Rebellion left their families in the nation. Early in 1861 rebel emissaries came into the Indian country for the purpose of making the Indians dissatisfied with us, and to induce them to join the South and take up arms in the war then raging.

"The Cherokees generally, under the influence of their chief, John Ross, assumed a kind of 'Kentucky neutrality.' Later in that year that neutrality was thrown off and two regiments were raised among the Cherokees and became a part of the rebel army. Many Cherokees refused to join, and some who did, finding themselves misled, voluntarily returned and joined the Union army. Some moved out of the nation. Some moved to places more secure from molestation from their brethren and from the rebel army then in the nation.

"Many joined with Opothleyohola, a loyal Creek. He was pursued by a much larger force than he had, a battle was fought and Opothleyohola was the victor. The rebel force was largely increased and another battle was fought, in which the brave chief was defeated, with great loss of life. During the night after the battle, snow fell to the depth of one foot or more and the weather became terribly cold. In the battle and the retreat his party lost most of their bedding, clothing, horses and provisions. In such weather and under such conditions the loyal Indians had to find their way into Kansas. Many horses and Indians froze to death. In the Cherokee Nation the rebel Indians were let loose upon the loyal Cherokees, and protected by the rebel army, they murdered, robbed and captured loyal Cherokees, stealing their horses, cattle,

household goods and burning their homes. Some fled into the mountains, glad to escape with their lives, and these remained for months, during the winter season, exposed to all the inclemencies of the season, and many died of exposure. In the spring of 1863 smallpox broke out among them and no amount of argument could persuade many of them to be vaccinated. Most of the Cherokee men who remained in the nation and many who returned from the South enlisted in the Union army as home-guards. In April, 1863, three Indian regiments, with occasional white or negro regiments, were located at Fort Gibson.

"When a bushwhacking party crossed the Arkansas River into the Cherokee Nation, the Indians were summoned to protect Fort Gibson while their families were left at home to be insulted, outraged, plundered and sometimes murdered or carried away by the enemy. The bushwhackers loaded themselves with plunder and left the nation. The pursuing force, loaded with plunder, returned to Fort Gibson, reported great success in driving the enemy from the country and rested from their labors. Thus the Cherokees have been robbed by their enemies and by their protectors until they are literally destitute.

"Nearly all of the Cherokees cultivate some land. Only a very few cultivate extensively. Generally they raise a small field of grain and a vegetable garden. Many of the men are indolent and careless, while the women, though usually slow at their work, are steady and industrious. Their lands are very rich, but the men plow too shallow, and during dry seasons especially, they raise poor crops. Horses, mules, cattle, sheep and hogs are raised with so little trouble and expense that at the beginning of the war almost all the Cherokees had some stock. Some had large herds, a few counting their animals by the thousand. The half-breeds generally attended to their crops and stock, and many of them became wealthy, but the full-bloods usually have not done so well, and too frequently they left the cultivation of the land to the women and children. Their laws allow husband and wife to own separate property and it is not uncommon among the full-bloods for the women to own most of the live stock.

"The Seminoles and Uchees are but bands of the Creeks, and united, they are the most numerous of these tribes. Their rebels may return to their nation when they choose, as they are as numerous as the loyal element.

"For the future I will say: We have made treaties with the Indian tribes, and in so many other ways acknowledged that they had rights that we ought not to be allowed, now, to say that they have none. This regulating Indians out of one territory into another, enforcing it by arms, is always oppressive, and can only be justified as a necessary war measure in time of actual hostility. All our transactions with the Indian tribes should be by treaty and only by treaty. If they have a country which they want to sell, we may buy it, but if they refuse to sell, it is their right to do so, and there is no remedy.

"In too many of our transactions with the Indians they think we have the advantage. Our interest in the transaction was certain, theirs in prospect only. Our interest was pressed early and late; theirs was attended to when we had nothing else to do.

"We promised them protection as a part of the consideration for their lands in Georgia, North Carolina, Tennessee and Alabama, but when they wanted protection here, with their men in our army, we suffered their people to be robbed and murdered for more than two years, until their property was destroyed or carried away. This they know, for they felt it and they feel it still. This and other acts makes them distrustful of everything proposed by white men."

ANOTHER AGENT'S STATEMENT

The report of Colonel Sells, superintendent of Indian Affairs for the Southern District, dated October 16, 1865, says:

"I think it is not doing violence to truth to say that since the commencement of the rebellion 300,000 head of cattle have been driven from the Indian country without the consent of the owners and without remuneration.

"It is utterly impossible to break up this system of plunder from the Indians so long as the state, civil and military authorities are in sympathy with the parties engaged in this species of brokerage.

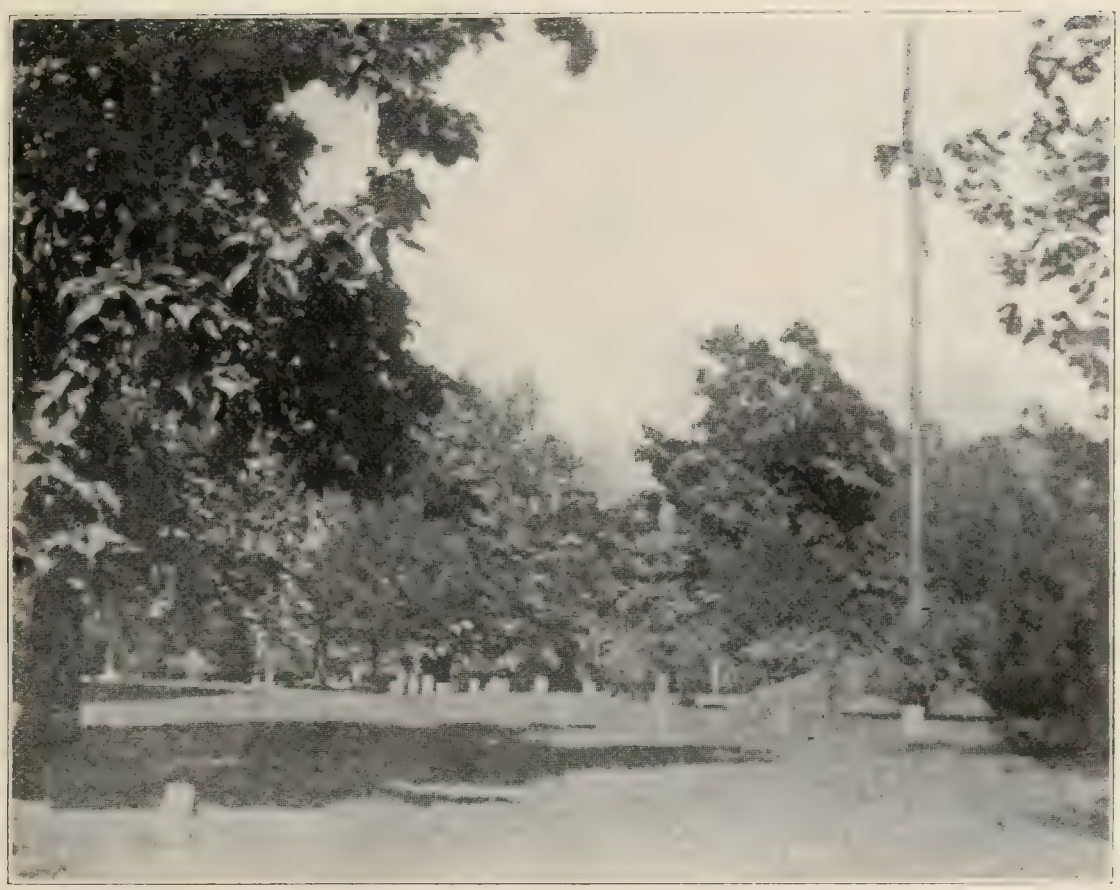
"There are two classes of operators connected with cattle-driving from the Indian country. The first are those who take the risk of driving from the original range—the home of the owners—who are generally men of no character and wholly irresponsible. They usually drive to the southern boundary of Kansas, where the

second class are waiting, through their agents, to receive the stolen property. These cattle brokers, claiming to be legitimate dealers, purchase at nominal prices, taking bills of sale, and from thence the cattle are driven to market where enormous profits are made. These brokers have met with such unparalleled success that the mania for this profitable enterprise has become contagious."

The Cherokee and Creek soldiers who had served in the Union army were mustered out of the service on the 31st of May, 1865, but upon returning to their homes they were confronted with many scenes of desolation. Many of their houses had been burned, their fences and crops destroyed and their cattle and horses stolen. During the war a well-organized band of thieves were busily engaged in rushing cattle and horses to the Kansas border where they were met by co-partners in crime who would find a market for the stolen property. It is estimated by agents of the Government that no less than 200,000 cattle and 40,000 horses were stolen from the Creeks and Cherokees. After the country was practically stripped of its live stock, Congress (in January, 1865) passed a law providing a heavy penalty for unlawfully driving live stock from the Indian country.

JUDGE J. M. KEYS' TRIBUTE TO STAND WATIE AND HIS MEN—EXTRACT FROM LIFE OF GENERAL WATIE, BY MRS. MABEL W. ANDERSON

"Looking backward down the corridor of time through the dim vista of more than half a century of departed years I see again the warlike spirit of the southern Cherokees, from the years of 1861 to 1865. I hear again the blast of Dutch Billy's bugle. I see the muster, the march and the encounter. I see the brave and fearless Gen. Stand Watie, as colonel of the famous first Cherokee cavalry as he directs and leads his victorious charge at Pea Ridge, Ark. I see Col. William Penn Adair with his long flowing black hair on the bloody field of Wilson Creek, Mo. I also see that other gallant soldier and brilliant statesman Elias C. Boudinot, on this same field with his long black hair floating on the breeze as we charged to victory. I see Col. James M. Bell, as he bravely led his men to victory at Mazzard Prairie, Ark. I see Col. Thomas Fox Taylor with his dark waving plume as he selects his own kith and kin to check the Federal advance at the Ford of Spavinaw, near General Watie's mill. I see that fearless soldier, Col. Robert



NATIONAL CEMETERY AT FORT GIBSON

Young
Chief

C. Parks, as he defeats a Federal force with artillery, on Greenleaf Creek near Braggs; a deep ravine alone, saved the Federal battery from the onward and victorious rush of Parks and his men. I see Col. O. H. P. Brewer, then a captain, as he drove the Federal picket into the fortifications of Old Fort Gibson, and rounded up the vast herd of horses and mules, and drove them south of the Arkansaw River. I see Major General Bryan as he charged the Federals at Short Creek, Mo., and drove them into the timber. I see Col. C. N. Vann as he charged the negroes at Negro Creek almost annihilating them. I see Maj. John S. Vann, at Cabin Creek, that brave and aggressive soldier. I see that valiant young soldier Maj. Moses Frye, ever ready to answer to the call of duty. I see Maj. Joseph L. Thompson in many battles and skirmishes, always displaying the highest qualities of a soldier. I see that daring soldier, Maj. R. W. Lindsey, at the battle of Honey Springs take his battery across Elk Creek Bridge amid the storm of shot and shell and roar and din of the conflict. I see Major Howland hold the bridge across Elk Creek at Honey Springs against superior numbers until the Federals were about to envelope him and his command. I see Maj. Joseph A. Scales as he leads the Confederate advance above the Webber Falls, that resulted in the capture of a train. I see Capts. C. V. Rogers and J. G. Schrimsher as they pilot the victorious forces of McIntosh and Watie at Hominy Creek. I see hundreds of brave men, Indians and whites, too numerous to mention in this brief sketch, who followed the flag and leadership of the matchless Gen. Stand Watie. Less than one hundred of General Watie's brigade have withstood the ravages of time. Feeble, aged and gray they will soon be gone to live only in song and story. They are waiting for the Master's call to cross the dark mysterious river separating life from death, to be with Lee and Jackson, Price and McCulloch, Cooper and our own beloved Stand Watie."

THE FORT GIBSON NATIONAL CEMETERY

One of the interesting historic spots of this section of the country is the National Cemetery located about two miles east of Fort Gibson. It was established by the Federal government many years prior to the Civil war as a last resting place of soldiers in the service of the Government. It consists of about five acres of

land occupying a gently sloping ridge and is enclosed in a solid stone wall. The Stars and Stripes are kept floating at the top of a staff in the center of the cemetery. An overseer, usually a veteran of the Civil war, is in charge of the grounds, ready at any time to point out to visitors the graves of noted personages. A few old cannon, relics of war times, are scattered through the grounds. On one stone slab is engraved the name of "John P. Decatur, died November 12, 1832." Decatur was a brother of Commodore Decatur, the noted naval commander who figured so prominently in the War of 1812 with England.

Another slab contains this inscription: "Flora, wife of Daniel Rucker, died at Fort Gibson, June 19, 1845, aged 21 years." General Rucker was commander of the post at Fort Gibson, and during the Civil war was appointed quartermaster general. Mrs. Rucker, of Cherokee descent, was related to the family of Chief William P. Ross.

Another slab of stone contains the modest inscription: "Maj. J. H. Elliott, U. S. A." Major Elliott belonged to General Custer's famous Seventh Cavalry Regiment and met his death in 1867 in a battle in the Comanche country.

Among the many noted Indians buried here is: "Billy Bowlegs." He was a noted Indian fighter and it is claimed that he was associated with Chief Black Hawk in some of his raids. Bowlegs was one of the Seminole chiefs and was with the unfortunate refugees who went to Kansas during the early days of the Civil war. About twenty-five hundred soldiers are buried here.

CHAPTER VIII

INDIAN REFUGEES OF THE CIVIL WAR

THE SUFFERING AND PRIVATIONS OF LOYAL INDIANS—COLLAMORE'S REPORT—SUPERINTENDENT COFFIN'S REPORT—LETTER OF CHIEF JOHN ROSS—COFFIN SCORES THE MILITARY—STAND WATIE'S ACTIVITIES.

The history of the Civil war furnishes no darker page than that which records the suffering and privations of those Indians who, opposing any treaty with the Southern Confederacy, and proclaiming their loyalty to the United States Government, were compelled to leave their homes and seek protection in the North during the cold winter of 1861-62, inasmuch as the Government had failed to furnish them with adequate protection in their homes.

It has been deemed advisable to let eye-witnesses tell the story.

George W. Collamore was appointed as a special agent by the Commissioner of Indian Affairs to visit Southern Kansas and report upon the condition of the Indian refugees assembled there. His report, dated April 21, 1862, is as follows:

COLLAMORE'S REPORT

"Dear Sir: Agreeably to your request I furnish herewith an account of my visit to the loyal Indians who were obliged to flee from their pursuers (rebel Indians and Texans) in the dead of winter, and who are now encamped on the Neosho River in the southern part of Kansas.

"Having heard of their great destitution and suffering, in company with the Rev. Evan Jones, who has been for the last forty years a missionary among the Cherokees, and who was driven from his station by the rebels in August last, I visited their encampment the latter part of March last for the purpose of observation as to their actual condition and wants.

"It is no doubt well known to you, but not generally so, what

the position of these people has been in the great struggle in which the whole country is involved, and with what resolute firmness and endurance they have resisted all the appeals and temptations held out to them by the rebel leaders to abandon the Government which has always protected them. While apparently the attitude of the various tribes was for a season equivocal, and the disposition seemed to incline to aid and comfort the enemy, or at the best 'neutrality,' yet the evidence is ample and clear that a large portion of the Cherokee Nation were determined to stand firm in their loyalty to the Union, as is sufficiently evidenced by the correspondence herewith enclosed between John Ross, the principal chief of the Cherokee Nation and Gen. Ben McCulloch and David Hubbard, commissioner of Indian Affairs for the Confederacy. And the same may be observed of the other tribes. But the strongest testimony consists in the troops they have furnished and the battles they have fought; and it is the fortune of these battles that has brought them into their present miserable condition in the bare prairies of Kansas.

"Large numbers of them, driven from their comfortable homes, leaving their farms and their herds (many of them it may be said having lived in affluence), joined the armies of the Union. Their houses were fired by the enemy and their horses and cattle driven off. The battles in which they participated and which eventuated in their expulsion from their country, and forced them to seek shelter in Kansas, formed a part of the history of this war. The battle of December last was particularly unfortunate to these people, and the disasters of the defeat left them in the helpless condition I found them.

"They are now located near Leroy, in Coffey County, Kan., a distance of not less than one hundred and seventy-five miles intervening between them and their former homes. Their march was undertaken with a scanty supply of clothing and provisions and cooking utensils, entirely without tents, and during their progress they were reduced to such extremity as to be obliged to feed upon their ponies and dogs, while their scanty clothing was reduced to threads, and in some cases absolute nakedness was their condition. Let it be remembered that their retreat was in the midst of a winter of unusual severity for that country, with snow upon the prairie. Many of their ponies died from starvation. The women and children suffered severely from frozen limbs, so did also the

men. Women gave birth to their offspring upon the naked snow, without shelter or covering, and some of the new-born babes died for want of clothing.

"Thus I found them encamped upon the Neosho River bottom, in the timber extending a distance of some seven miles, not a comfortable tent was to be seen. Such coverings as I saw were made in the rudest manner, being composed of pieces of cloth, old quilts handkerchiefs, aprons, etc., stretched upon sticks, and so limited were many of them in size that they were scarcely sufficient to cover the emaciated and dying forms beneath them. Under such shelter I found in the last stages of consumption, the daughter of Opothleyohola, one of the oldest and most influential and wealthy chiefs of the Creek Nation.

"In company with Doctor Coffin I visited nearly fifty patients in one afternoon. Not a few he pronounced incurable, their diseases being consumption and pneumonia, brought on from exposure and privations of the common necessaries of life. Dr. George A. Cutler informed me that in two months 240 refugees of that nation had died. Those of other tribes suffered in like degree. Doctor Coffin informed me that upward of one hundred amputations of frosted limbs had taken place. Among them I saw a little Creek boy, about eight years of age, with both feet taken off near the ankles; others lying on the ground, whose frosted limbs rendered them unable to move about. Five persons in a similar condition the physician pronounced past recovery. A cold drenching rain fell on the last day of the visit and for eight hours I went from lodge to lodge and tribe to tribe, and the suffering of the well, to say nothing of the sick, is beyond description. Their numbers as ascertained were as follows: Creeks, 5,000; Seminoles, 1,096; Chickasaws, 140; Quapaws, 315; Uchees, 514; Keeshies, 83; Delawares, 197; Ironeyes, 17; Caddoes, 3; Wichitas, 5; Cherokees, 240. (About two thousand Cherokees were encamped farther east, not far from Fort Scott.)

"This large number of people have been deprived of shelter for four months and they have been supplied with clothing wholly inadequate to their actual wants. Some whom I saw had not a single garment on their bodies, nor has their food been sufficient in quantity or of proper quality. Neither coffee, sugar, vinegar nor pepper has been allowed them, only upon a requisition from

the physician for the sick. Only about one pound of flour is given them per week each, and a scanty supply of salt.

"To all these necessaries of life they had been accustomed. They had been told by rebel emissaries, as the chief informed me, that they would fail to obtain these articles from their Union friends, which having turned out to be the fact, has affected them with suspicion and discontent. Great complaint was made by the chiefs and others as to the quality of the bacon furnished, it being as they expressed it, 'not fit for a dog to eat.' Notwithstanding all their hardships and disappointments, these people who have exhibited a courage and endurance beyond any in the United States, breathe but one spirit of fidelity to the Union, and a desire once more to be restored to their homes and friends, and there sustained by the Federal government to defend the cause they have espoused. I was assured by Opothleyohola that he and his people were willing, on being properly armed, to fight their own way back; but more lately learning from reliable information that there were camps consisting of from five thousand to six thousand rebel Indians and Texans to oppose him, he would now require assistance from our troops."

SUPERINTENDENT COFFIN'S REPORT

Mr. W. G. Coffin, superintendent for Southern Indians, made a report of the condition of these Indian refugees to the commissioner of Indian Affairs on the 13th of February, 1862, a portion of which is as follows:

"Having now been here (at Fort Roe on the Verdigris River) long enough to make a pretty thorough examination of the Indians here, I send you the enclosed census of those now here and in one or two days' journey of this place. They are constantly arriving, from twenty to sixty per day, and sending runners for provisions to be sent to the destitute on the way, and for transportation for the sick and feeble and helpless.

"The destitution, misery and suffering among them is beyond the power of any pen to portray; it must be seen to be realized. There are now here over two thousand men, women and children, entirely barefooted, and more than that number who have not rags enough to hide their nakedness. Many have died and others are constantly dying. I should think, from a rough guess, that

from twelve to fifteen hundred dead ponies are lying around in the camps and in the river."

Numerous other agents of the Government, including several army officials, made similar reports as to the condition of these unfortunate Indian refugees, justifying the conclusion that the statements quoted above were in no degree exaggerated. It would be difficult to find any parallel in our history to the indomitable loyalty to government manifested by the unfortunate Indians.

The presence of these thousands of loyal Indians, the recital of their sufferings and their stoical determination to remain faithful to their treaty obligations to the Federal government had a tendency to arouse the North from its lethargic attitude toward Indian Territory and a campaign for recapturing Tahlequah, Fort Gibson and other important points, all of which were now in the possession of the Confederates, was set on foot.

Maj. Gen. D. Hunter, then stationed at Fort Leavenworth, Kan., was instructed by the war department to organize an army for the purpose of invading Indian Territory, and was empowered to solicit recruits among the able-bodied Indian refugees. Several hundred Indians enlisted very willingly. James H. Lane, who had just been elected as first United States senator from Kansas, undertook to raise a regiment, composed largely of Indians, but a good deal of friction arose between the various military authorities and the Interior department upon the subject of enrolling Indians for the war. A mixture of Kansas politics with military jealousies and Indian office regulations tended toward hindering and delaying the organization of a military expedition for the recovery of Indian Territory and while precious time was being wasted by them in wrangling over the military policies to be pursued, Col. Stand Watie and Col. John Drew of the Cherokee Confederate brigade, aided by Colonel McIntosh of the Creeks and Colonel Cooper of the Choctaw and Chickasaw Mounted Rifles were scouting over the Indian Territory making life miserable for the Indians who had refused to join the Southern Confederacy.

A portion of Stand Watie's regiment invaded Missouri in April, 1862, and engaged in a skirmish with a Federal cavalry regiment near Neosho. A few weeks later, reinforced by a section of Colonel Coffee's regiment, he met and defeated a Missouri state militia regiment not far from Neosho. The task of redeeming Indian Territory was finally assigned to William Weer, a colonel

of a Kansas regiment and in May, 1862, he was busily engaged in organizing his regiment, preparatory to capturing Tahlequah and Fort Gibson. Several companies of refugee Indians were assigned to his command, the plan being to use them principally as scouting parties, as they were presumed to be acquainted with the country and familiar with the Indians' methods of warfare. As the advance guard of Weer's army started south, Stand Watie retreated to Cowskin Prairie, where the two armies met in an indecisive battle early in June. Maj. William A. Phillips of Kansas was placed in charge of the Indian cavalry and Col. John Ritchie in command of the Indian infantry forces. As they advanced into the territory their commands were increased in size by voluntary enlistments of Indians.

A detachment of Major Phillips' scouts were sent out in advance and met Stand Watie's regiment in a skirmish between Fort Gibson and Tahlequah. Watie was obliged to retreat after a sharp contest, leaving his lieutenant colonel, Thomas Taylor, mortally wounded, on the battlefield.

On the third day of July, 1861, the advance guard of Colonel Weer's army had a lively skirmish with a part of Stand Watie's army at Locust Grove. Watie's expected reinforcements did not arrive and he was compelled to retire farther to the south.

Colonel Weer's army continued its march southward in its eagerness to capture Tahlequah and while camped on the Grand River about fourteen miles north of Fort Gibson, he was arrested July 18th, by Colonel Salomon for violating the orders of his superior officer in advancing too far ahead of his base of supplies. Salomon retreated with the army to Wolf Creek, much to the disgust of the Indians who were anxious to regain possession of their homes.

Just prior to Colonel Weer's arrest while in camp on Grand River, he dispatched Captain Greeno with about one hundred and fifty white and Indian soldiers to take possession of Tahlequah. He arrived at Tahlequah without encountering any of the roving Confederate bands, captured a few of the officials and arrested Chief John Ross at his Park Hill home, three miles south of Tahlequah. As the Federal army invaded the territory, many of the Indians who had aligned themselves with the Southern Confederacy were compelled to flee from their homes, hundreds of families going as far south as Texas for safety. The conspiracy

against Weer, the Federal colonel who was arrested by his inferior officers while in camp on Grand River, once again checked the onward march of the Northern army, and Captain Greeno, having no hope of reinforcements was soon compelled to abandon Tahlequah. Hundreds of loyal Cherokees, accompanied by Chief John Ross, left their homes and traveled on foot and horseback to the refugee camp in Missouri, near Neosho. At the close of the year 1862, there were 1,900 Cherokees in this camp, mostly women and children.

The years 1863 to 1864 brought much suffering and wretchedness to the Indians whose bravery prompted them to remain in possession of their homes. Roving bands of bushwhackers destroyed their crops, burned many homes and drove away many cattle and horses.

The leaders of both the Northern and Southern armies seemed to realize that Indian Territory was being sadly neglected and both sides determined, early in 1863, to strengthen their forces in the Indian country. In January of that year Brig.-Gen. William Steele was placed in command of all the Confederate forces in Indian Territory and about the same time General Schofield was selected to reorganize the Union forces. Both of these military leaders were hindered and embarrassed in their efforts toward planning their respective campaigns by petty jealousies displayed by their superior and associate officers. After entering the Territory General Steele was unable to secure sufficient guns and ammunition and was soon compelled to retire toward the Texas line, and was soon displaced by Colonel Cooper, who later in the year, was succeeded by General Maxey. General Schofield was fortunate in selecting Col. Wm. Phillips to take possession of Fort Gibson.

Colonel Phillips had been in command of an Indian regiment and probably understood Indian methods of warfare better than any of his superior officers. At this time the Union forces had regained control of practically all of the territory east of the Arkansas River while Stand Watie and Col. D. N. McIntosh with his Creek regiment were scouting the country west of the river, occasionally making surprise attacks but not engaging in many battles of importance.

In July, 1863, Gen. James Blunt, Phillips' superior officer, arrived at Fort Gibson with reinforcements, hoping to inaugurate a

more active campaign against the Confederates. The Union forces in charge of the fort had been contenting themselves with guarding the hundreds of refugee Cherokees, Creeks and Seminoles who had assembled there for protection, while the Confederate soldiers were permitted to make disastrous raids through the surrounding country. Learning that Col. Douglas H. Cooper, with his regiment of Confederate Indians, was in the vicinity of Elk Creek, General Blunt decided to attack him at once. Cooper had called to his aid the Confederate Creek regiment under command of Col. D. N. McIntosh and Stand Watie's regiment of mounted Cherokees, with the intention of making an effort to capture Fort Gibson, hence the sudden appearance of General Blunt's army on the west bank of the Arkansas was something of a surprise to him. The opposing armies met near Honey Springs, about two miles southeast of the present Town of Oktaha, on July 17th, where a sharp battle was fought, which resulted in a victory for the Union forces, the Confederates retreating toward the south, many of the Indians scattering in different directions, never to return again to their regiments.

The battle of Honey Springs or "Elk Creek," was one of the most disastrous to the Confederate cause of all the engagements which took place in Indian Territory on account of the demoralizing effect it had upon the morale of the southern Indians, causing many of them to desert the Confederate army. It has sometimes been referred to as the "Gettysburg" of the Indian Territory. The fact that it took place within two weeks after the real Gettysburg campaign added dismay and discouragement to the Southern army. By the first of the following September Fort Smith, which had been a Confederate stronghold, was in the possession of the Union forces.

LETTER OF CHIEF JOHN ROSS

"Philadelphia, Pa., 708 Washington Place,
April 2, 1863.

"Sir: In addressing you on the present occasion, I have the honor to state, I have been advised that a special session of the national council of the Cherokee Nation was convened at Cow-Skin Prairie in February last, and the following bills were passed:

"1st. Abrogating the 'treaty with the Confederate states,' and calling a general convention of the people to approve the act.

"2nd. The appointment of a delegation, with suitable powers

and instructions to represent the Cherokee Nation before the United States Government, consisting of John Ross, principal chief, Lieut.-Col. Lewis Downing, Captain James McDaniel, and Rev. Evan Jones.

"3rd. Authorizing a general Indian council to be called at such time and place as the principal chief may designate.

"4th. Deposing all officers of the nation disloyal to the government.

"5th. Approving purchase of supplies made by the treasurer, and directing their distribution.

"6th. An act providing for the abolition of slavery in the Cherokee Nation. That the Cherokee refugees and warriors are very desirous of being removed into their own country, without further delay, where they can effectively coöperate with the federal troops in protecting their people, and repelling any invasion of the enemy, etc. I deem it to be my duty, therefore, respectfully, to urge the propriety and necessity of the Government reestablishing a military post within the Cherokee country, and to occupy it with ample force, as the base of operations for successfully prosecuting the war in that department, embracing the Indian Territory and the adjacent states.

"I have no information respecting the delegation since I saw a notice of their arrival at Fort Scott on the 12th ultimo, and I cannot account for their delay on the road. Should they come direct to Washington, you will oblige me by advising me of their arrival in the city.

"Please to remind Mr. Mix of the request authorized by you to make out my subsistence account for the second quarter ending 31st of March, and to remit me a check for the money as soon as practicable, as I shall need it before I go down to Washington.

"I have also to report the names of those who are still residing in the east, and are entitled to subsistence money, to wit: John W. Stapler, and family; Dr. Robert D. Ross and family; Willie Ross, son of Wm. P. Ross, and Nellie Potts, who composed a part of Wm. P. Ross's family, and were left at school when he returned with the other members of his family to the West.

"Checks for these recipients may also be remitted to my care for them.

"I am, sir, very respectfully, your obedient servant,

"JOHN ROSS,
Principal Chief, Cherokee Nation."

"Hon. William P. Dole,

"Commissioner of Indian Affairs."

An attempt was made by some of Stand Watie's scouts to prevent the meeting of the Cherokee Council, but a detachment of Colonel Phillips' Federal brigade afforded protection to the members and on the 4th of February the Council met at Cow-Skin Prairie and passed the acts enumerated in the chief's letter.

One complication which continually contributed to the annoyance and discomfort of the Indians, those at home as well as the refugees, was the persistent jealousy and diversity of opinion which were constantly cropping out between the army officials and the Indian department officials concerning policies to be pursued toward the protection of the Indians. The latter were persistently claiming that they could not secure needed assistance and support from the army. Here is a sample:

COFFIN SCORES THE MILITARY

William G. Coffin, superintendent of Southern Indians, in a letter to the Commissioner of Indian Affairs, dated August 31, 1863, says:

"The contrariness and interference manifested by the military authorities in the Indian country towards those who are having charge of the Indians within the Cherokee Nation is so annoying and so embarrassing that it has become unpleasant, difficult and almost impossible for them to attend to the duties of their official capacities with success. If the military would only make it their business to rid the Indian Territory of rebels, instead of intermeddling with the affairs of the Interior department, or those connected with or acting for the same, the refugee Indians in Kansas might have long since been enabled to return to their homes. As early as in the fall of 1862 the military authorities took forcible possession of the Cherokee refugee Indians, then at Camp Dry Wood (near Fort Scott, Kan.) where I had made ample provision to feed and shelter them. They ran them off to Neosho, Mo., a district which was so thickly infested with rebels that it was dangerous for any loyal person or Union man to go outside of the town limits even a single mile, instead of wooing them (as the plea was) to their own country. For what purpose this was done I have never been able to ascertain. Early last spring, by the

earnest recommendation of Colonel Phillips, I forwarded a supply of agricultural implements, seeds of various kinds, bread-stuffs, together with as much transportation as I was able to procure, to Neosho, for the purpose of removing these Indians to their homes in the Cherokee Nation, and to enable them, after their arrival there, to raise their own subsistence for the present year.

This movement as shown by previous reports sent to you, proved to be an entire failure, on account of the inability of the military authorities to furnish the promised protection to these Indians in the Cherokee Nation. Ever since that time I have been furnishing them with subsistence as regularly as I possibly could, considering the limited means at my command, the surrounding difficulties and dangers in transporting supplies over a distance of nearly three hundred miles, and the disappointments, annoyances and interferences shown on the part of the military authorities of the Indian country. Indeed, cases have occurred where the latter have forcibly taken possession of such supplies as I sent to the Cherokee Nation for the use of the destitute Indians and distributed the same themselves, in the presence of Indian agents who were perfectly competent to attend to their own business."

By September, 1862, 1,900 refugee Cherokees were camped about twelve miles south of Fort Scott, all of whom had been compelled to abandon their homes because of the activity of the Confederate soldiers and the inactivity of the Union forces.

STAND WATIE'S ACTIVITIES

Stand Watie's soldiers were busily engaged in scouting, dodging here and there, annoying and threatening the loyal Indians, while the Federal forces who had retaken Fort Gibson seemed inclined to remain near the fort where a large number of Creek and Cherokee refugees had assembled for protection. On June 30, 1862, a detachment of Stand Watie's army attacked a provision train of 300 wagons which was on its way from Fort Scott to Fort Gibson with supplies for the soldiers and refugees in that beleaguered fort. The provision train was guarded by an escort of 2,000 soldiers.

Major Foreman, commanding a battalion of 400 Indian homeguards advanced and engaged Colonel Watie's men in a lively

skirmish in which several men were killed and more wounded on both sides. Another engagement took place on the next day at Cabin Creek where Watie's full regiment was lying in wait for the train of provisions. Watie's plans failed, however, because of the fact that the Confederate General Cabell, who was expected to reinforce Watie with 2,000 soldiers and six cannon, was on the opposite side of Grand River and could not ford the stream on account of high water. In this engagement, while leading his Indian battalion in a charge upon the enemy Major Foreman was twice severely wounded and his horse was shot from under him. Three days later the provision train reached Fort Gibson where about three thousand soldiers and five thousand refugee Indians, Cherokees, Creeks, Euchees and Seminoles were anxiously awaiting the arrival of fresh supplies.

CHAPTER IX

THE COMMISSION TO THE FIVE CIVILIZED TRIBES, COMMONLY CALLED THE DAWES COMMISSION

MUSKOGEE PHOENIX EDITORIAL—A VINITA PAPER'S COMMENTS—THE SYSTEM CONDEMNS ITSELF—LETTER TO THE COMMITTEE OF CHEROKEES—ATTITUDE OF INDIANS TOWARD DISSOLUTION OF TRIBAL GOVERNMENTS

The Act of Congress providing for the appointment of a commission to the Five Civilized Tribes was the most important law enacted by Congress, looking toward the abolishment of the tribal governments and the settlement of their vast estates. The law was passed on March 3, 1893, and provided that the President should appoint three commissioners to enter into negotiations with the Cherokee, Choctaw, Chickasaw, Muskogee (Creek) and Seminole nations, for the purpose of extinguishment of the tribal title to the lands of Indian Territory, either by the cession of the same or some part thereof to the United States, or by the allotment and division of the same among the citizens of the tribes.

The first commission appointed consisted of Henry L. Dawes of Massachusetts, Meredith H. Kidd of Indiana and Archibald S. McKennon of Arkansas.

Upon their arrival in the Indian Territory, the commissioners were not given a very hearty reception by the natives. The Indians had repeatedly expressed themselves as being opposed to any dissolution of their tribal governments or to any division of lands.

On the 26th day of June, 1895, the International Council of the Five Civilized Tribes met at Eufaula to exchange views upon the proposition of the Dawes Commission to allot the lands of the Indians to the individual members of the several tribes.

The Cherokee Nation was represented by L B. Bell, G. W. Benge, W. A. Duncan and C. J. Harris; the Choctaw delegates were J. C. Fulsom and Jacob Jackson; the Chickasaw Nation was

represented by R. H. McLish; the Creek delegates were Roley McIntosh, John R. Goat, Esparhechee, Robert Stewart and A. L. Posey; the Seminole representatives were J. F. Brown, Okchan Harjo and J. N. Kinkeekee.

C. J. Harris, chief of the Cherokees, made the principal address and was followed by G. W. Benge, J. R. Goat, Governor J. F. Brown, J. C. Fulsom and R. H. McLish.

At the close of a two-day's session the council adjourned after adopting resolutions reaffirming the position which they had taken the year before at a council held in Checotah, which was not favorable to the proposed agreement of the Dawes Commission.

Gen. G. M. P. Turner, a prominent Creek, in 1897, voiced the feelings of many of the full-blood Creeks toward the efforts of the Dawes Commission in a speech in which he used the following words:

"Egypt had its locusts, Asiatic countries their cholera, France had its Jacobins, England had the black plague, Memphis had the yellow fever, Texas had her Middle-of-the-road Populists, the world had McKinley and prosperity, Kansas had its grasshoppers, but it was left for the unfortunate Indian Territory to be afflicted with the worst scourge of the Nineteenth century, the Dawes Commission. When God, in the medieval days of His divine administration, first conceived the grand idea of building worlds, making governments and creating judiciaries, He never contemplated the Dawes Commission. If He had, He would have shrunk with horror, quit His job and left the world in chaos."

During the month of June, 1897, the Dawes Commission visited Fort Gibson for the purpose of persuading the Cherokees to consent to an agreement providing for the division or allotment of their lands among the members of their tribe, but so much opposition to the proposition was manifested, principally among the full-blood element, that nothing was accomplished at that time.

The Muskogee Phœnix, on June 17, 1897, had this editorial on the situation:

"Affairs are getting in a desperate condition over in the Cherokee Nation. The full-blood element is wrought up to a high pitch over the pending negotiations with the Dawes Commission and grave trouble is apprehended should the Cherokee Commission enter into an agreement with the United States representatives. The full-bloods have united, burying all past differences and have

OFFICE OF DAWES COMMISSION AFTER THE BIG FIRE OF 1899, MUSKOGEE

organized themselves almost as a unit in opposition to any kind of a treaty, and rumor has it that they have marked out no less than forty of the progressive citizens who are urging the treaty and given them an intimation that their lives will pay the forfeit for disrupting tribal autonomy. A rumor of so serious a nature as this would be given little credence were it not for the suspicious actions and open threats made by certain of the influential full-bloods to various members of the Cherokee Commission. Those conversant with exact conditions of affairs in the Cherokee Nation do not hesitate in admitting that in the event of an agreement, breaking up tribal autonomy, there will in all probability be assassinations and bloodshed and riots far-reaching and disastrous in their effects."

A Vinita paper commented upon the situation as follows:

"THE SYSTEM CONDEMNS ITSELF

"The negotiations with the Dawes Commission have demonstrated beyond the possibility of doubt the fact that the land-in-common system is wrong in theory and in practice and cannot stand.

"The fact that the Cherokees have a patent in fee to their land has been little or no protection against the inevitable tide and pressure from without, and consequently must be terminated. Land owned in common cannot in the very nature of things be properly safeguarded from attack from both the inside and the outside. The system of common property was never intended for any people but the uncivilized and non-progressive and not for a people of intelligence and enterprise, like the Cherokees; it is utterly and entirely inadequate and unsatisfactory.

"That the stronger members of the tribe would ultimately absorb and monopolize the common property of the tribe might have been foreseen from the beginning, and the tendency has been in that direction. When the Cherokees were transplanted west of the Mississippi nearly three-quarters of a century ago, the great West was a boundless and trackless waste and the present pressure and scramble for land could not be imagined.

"It has scarcely dawned upon many of our citizens that the portion of land that will fall to each will be very small, probably not more than forty acres. A few years ago more than an entire

section of 640 acres would have been the per capita share and many of our citizens do not realize the true state of Indian affairs."

The title to the lands was vested in the tribe. Each Indian was allowed to take possession of as much land as he could use, so long as he did not trespass upon the rights of his neighbor. He had the right to sell his improvements at any time, to any other member of his tribe, which sale carried with it the right to occupy and use the land upon which the improvements were located. He was not permitted, however, to sell to any person other than a member of his own tribe. Upon his death, his improvements and his possessory right to the land which he occupied, descended to his heirs. When he sold his claim, he had the right to take possession of any tract of land which was not occupied by any other member of the tribe, and improve it as his own.

While this system was commendable in some respects, especially as it was an incentive to every Indian to build a home, yet it proved objectionable, as the white citizens and those who were partly white, soon had possession of the best tracts of land, while the full-blood, who was slow to appreciate the value of good land, was gradually forced back to the rocky, barren hills.

But the majority of the full-bloods were contented because they were permitted to roam about, changing their habitations at will, and not eager to burden themselves with large amounts of cultivable lands.

Indian councils refused to treat with the commission and numerous public meetings were held to protest against any change in their tribal affairs. Certain white tenants and others of slight degree of Indian blood, who were in possession of some of the best land, lent encouragement to this opposition.

By Act of Congress of March 2, 1895, the Dawes Commission (so called in honor of its first chairman, who, as United States Senator from Massachusetts, had manifested an active interest in Indian legislation) was increased to five members, Thomas B. Cabaniss and Alexander B. Montgomery being the new appointees. Frank C. Armstrong was also appointed to take the place of Commissioner Kidd, who resigned in order to enter another branch of governmental service.

In order to give the commission more authority and better standing with the tribes, Congress enacted a law on June 10, 1896, empowering the commission to determine who were lawful mem-

bers of the respective tribes entitled to share in tribal property. This act gave the commission a responsible task to perform, instead of merely "parleying" with the Indians as it had been doing up to this time, and it served to create in the minds of the Indians a feeling of more profound respect for the commission, as it was now authorized to pass judgment on the legal standing of every Indian. Opposition to entering into any agreement with the commission continued to manifest itself in numerous meetings and resolutions, but as the commission began its task of determining who were entitled to enrollment as Indian citizens, its members were brought into closer contact with the Indians, and feelings of mutual respect and confidence began to develop.

Tribal councils began to give the matter more serious attention by appointing delegates to confer with the commission, but without authority to bind the tribes.

As an illustration of the feeling of antagonism manifested toward the commission, the following letter is quoted, which was addressed to the Committee of Cherokees, appointed to confer with the commission:

"Tahlequah District, Cherokee Nation, Aug. 10, 1897.

"To the Honorable Cherokee Commission, D. W. Bushyhead, Chairman; C. V. Rogers, DeKinny Waters, Robin Pan, Adam Lacy, W. A. Duncan, R. B. Ross and S. H. Mayes:

"Whereas, It is a fact that there is a commission here which has been sent by the United States, commonly known as the Dawes Commission, who are here for the purpose of entering into new treaties in order to bring us into a new agreement to allot our lands and to change our form of government;

"Therefore, Be It Resolved by the National Keetoowah convention, that there be a strong protest filed, and which is to be a protest for all time to come, against making any agreement and entering into any new treaties, and with this resolution, adopted by the National convention, the chairman of said convention is hereby instructed to proceed at once and put the petition before the people for them to sign, praying the United States Government to leave them alone to enjoy their present form of government, and that more importance be given and accorded to the faithful observance of our patent to the Cherokee lands and to the provisions of the following treaties: December 31, 1838; May 6, 1828; February 11, 1833, and December 29, 1835.

"We have kept faith with the United States and observed faithfully all the provisions of these treaties, and desire to protest against entering into any new treaties and against any change in our present form of government.

"It is ordered that these resolutions be submitted to the Cherokee Commission without delay for their information.

"Approved August 10, 1897.

"DAVID MUSKRAT,
"Chairman, Convention.
"WILSON CUMMINGS,
"Secretary.

"DANIEL REDBIRD,
Chairman, National Keetoowah Convention (with 335 names attached)."

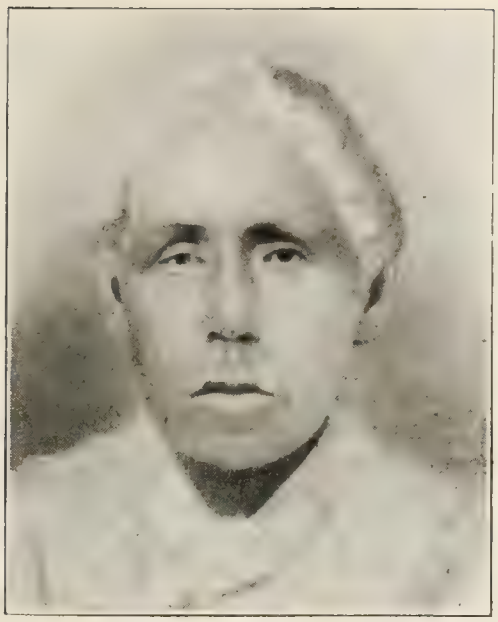
The Act of Congress giving the Dawes Commission authority to decide upon the citizenship of the various tribes, also contained the following provision, which served as notice to the Indians that Congress was determined to do something, either with or without the consent of the tribal officials, to improve conditions in the Territory:

"It is hereby declared to be the duty of the United States to establish a government in the Indian Territory which will rectify the many inequalities and discriminations now existing in said Territory, and afford needful protection to the lives and property of all citizens and residents thereof."

In vain did the Cherokees call attention to that provision in their treaty of 1828, which recited:

"That the United States anxiously desires to secure to the Cherokees a permanent home which shall, under the solemn guarantee of the United States, be and remain theirs forever—a home that shall never, in all future time, be embarrassed by having extended around it the lines, or placed over it the jurisdiction of a Territory or a State, nor be pressed upon by the extension, in any way, of any of the limits of any existing Territory or State."

During the year 1897 the Dawes Commission held numerous conferences with the Five Tribes at various places in the Territory for the purpose of trying to induce them to agree to the dissolution of their tribal governments and the allotment of their tribal lands in severalty. At one of these conferences held in Tahlequah during the month of August, 1897, the first day was spent in hear-



THLOBTHLOCCO
A Creek Town Chief, 1880

WAH-PAH-SHO-SAH AT HOME

ing the opinions of white men and Indians who were almost white. Late in the afternoon the commission announced that they would like to hear from the full-bloods, many of whom were present during the day but had maintained a stolid air of silence, so characteristic of the real Indian. After a brief meeting of the full-bloods present, they announced that they would present their views on the following morning. On the next morning the hall was crowded with full-bloods who had selected three of their number to present their views to the commission. A special reporter for the Dallas (Texas) News was present and made the following report of the day's proceedings:

"The Dawes Commission had by no means of official declaration given the Cherokee people to understand that the reforms proposed would be consummated either with or without their consent, and that they should not deceive themselves by trusting to their treaties as matters of sufficient moment to stay the hand of the Government, for it was the intention of Congress to override all these guarantees by means of arbitrary legislation.

"The speaking began, and the three orations occupied the whole forenoon. The language used was the unadorned laconic Indian. It is not within the power of English translation to do full justice to these three speeches; yet thought after thought was regularly snatched up as it came glowing from the furnace of inimitable eloquence, and shaped somewhat to the comprehension of the commissioners by the means of skillful interpretation. Each oration had its leading idea. That of the first was the effect of the reforms proposed upon the well-being of the full-blood people.

"What," he exclaimed, in a torrent of language, thought, feeling and argument equal to anything ever seen in the Greek or Roman classics, "What will become of that class of people whom I today have the honor to represent? We know the white man. They are a proud and overbearing race. We full-bloods can never live with them. Their laws are too many; they are written in big books, and in a language which we cannot understand. We shall never know when we are violating their laws until we are arrested and dragged away to trial. Your judges will also be white men; they will not be able to talk to us. When on trial we shall be at the mercy of the white man; when convicted we shall not know the nature of the offense; and when punished we shall not know whether we have been punished according to the law or against it.

We can never live with the white men. If it be the intention of the great government of the United States to annul our treaties and turn the white man in upon us, it would be much the same as if the great father at Washington should take us up and plunge us headlong into hell; death would be preferable."

The prevailing idea of the second oration was the sanctity of treaty obligations. He said: "You ask us to make a new treaty, but we cannot see the need of any new negotiations. You tell us that our old treaties are not good, but there was a time when you did not think so. When did they lose their force? Who is it that has spoiled them? It is not we. We have violated no treaty; we have broken no law. What is the matter with the great father at Washington? What is the cause of his offense, that he should annul our treaties and destroy us as a nation? Treaties never die except by the consent of both parties. The United States makes treaties with people beyond the great waters and they live forever. The great father never thinks of spoiling them.

"Why should he consider the treaties he has made with us less sacred than those he has made with nations beyond, where first is seen the rising sun, and with other nations where the setting sun is seen when it is night in the land where the great father at Washington lives? It is unjust to spoil our treaties. We are a small people, much smaller than we used to be. I know that we shall have to yield to the wishes of the Government. The great father has many big guns; protection was promised to us, yet we know that unless we obey him, they will not be our protectors, but will turn upon us. Yet if resistance was practicable and it were at all availing, I should willingly pour out my blood in the defense of my people."

The words of the third speaker were different from those of the other two in tone and elevation of spirit. Said he:

"I am an old man. I have spent the greater portion of my life in going about trying to do good. My business has been to preach the Gospel. It has been my special care to look after the young men of the country and lead them to the Savior of the world who died on the cross, and in doing this I have also been in the habit of recommending them to the ways of the white man as something worthy of their imitation. But I begin to doubt whether I have been right in doing this. If what we hear from the commissioners be indeed the words of the white people, if they really mean to

annul our treaties and break faith with us in that way, then their example will no more be worthy of an Indian's imitation. I shall not feel like preaching to our young men any more; they will laugh at me and ask me if I would like to have them do like the white men. I am not in favor of a new treaty; our old treaties are all that we need. It is said we have a great deal of crime in our country; there would not have been so much if the United States had complied with her treaties with us. When one of our own people commits a crime we try him, and if he is guilty we punish him. But the Government allows white people to come into our country contrary to our treaties. They commit crimes, but we are not allowed to handle them. They are allowed to stay here, and it makes our country look like a hiding place for criminals when we are not at fault. All we want is peace; we only want to be let alone. I am not in favor of treating."

At the close of the speaking one of the commissioners arose and for himself and his associates said, in substance:

"We have heard what you have to say. We have felt the force of your words and appreciate your feelings. We sympathize with you from the bottom of our hearts. But what you want is beyond our power to grant. Congress has determined to make a change in the political condition of your country and we cannot help it. We can only advise you to be wise, improve the opportunity offered you and prepare for the inevitable.

"The scene from an oral point of view was indescribable; it was simply awful. It was a spectacle never to be forgotten. It was the white man's boasted civilization brought down to lick the dust at the feet of the red man's so-called barbarism; an exhibition at which the moon might well blush and the sun hide its head forever in the caverns of universal night, from motives of intolerable shame."

About the same time that the Dawes Commission was negotiating with the Cherokees, Isparhecher, the full-blood chief of the Creek Nation, had advised the Creek Council not to treat any further with the commission, as he was opposed to any change in their governmental affairs, except such as they should agree to among themselves. The Creek Council, however, refused to accept their chief's recommendation, for while they were not satisfied with the proposals of the commission, yet they felt that the Government would soon compel them to come to some sort of an agree-

ment, and they feared that if they refused any further conferences with the commission, Congress might enact such laws as it might deem advisable without their consent. The following address was delivered by Wiley McIntosh, a full-blood Creek and member of the Creek Council, at a public gathering near Tulsa, in August, 1897:

"There is now going on among us, the present campaign of troops for the purpose of clearing the last home of the Indian, of the presence of unbidding whites that will ever be witnessed within the bounds of the United States, in the effort to check the ever-increasing sway and rule of the white man. From small and separate colonies of English, Dutch and French settling on the borders of what is now called the American Union, the white race has mingled in blood, strengthened in policy, and spread in conquest until now this race has conquered all opposition of arms and is taking peaceable possession of the widest known civilized domain. The last armed enemy who opposed his coming has surrendered and is now at his mercy and his disposal, while the territory fought over for 300 years is being portioned out to the white race as an abiding home for him and his children forever. No more will be heard the whizzing of the feathered arrow, met in its flight by the bullet from the white man's rifle. The war song is hushed for eternity and the smoke of the council fire hovers no longer over the children of the forest. They are gone. The white man goes unarmed. The white man goes unarmed among the remnants of his once terrible foe, seeking everywhere to plant his vine and fig tree, and rear a civilized home. Outside the domain of the Five Civilized Tribes of Indians is no resistance offered to his taking possession, and he is only waiting for the peaceful signal by his own Government to enter and possess. Here within the alien country of the five tribes alone, he is yet forbidden. Here is his last opposition; here is the final stand. Here is the last struggling in opposing the march of the white race. Here is the final battle for supremacy on the Continent.

"Here now is the terminating contest in the long war between savagery and civilization; between progress and barbarism; between the white and the red. And to what strange ends have we come in this long struggle when diplomacy has taken the place of the tomahawk, and a scrap of paper replies instead of the rifle. The Indian relies on treaties and diplomacy to rid the country of

white men and the white men depend upon lawful rights and a written permit. The struggle is the same but the methods are new; and the results—can there be any doubt as to the final results? Is the conclusion of the whole matter not already a foregone conclusion, seen as plainly by the Indians as by the white man? In the end the white man will win in the contest, as when the bow and rifle played their part. It must be so. Progress cannot be stayed at the petty demand of civilized hate, aided and abetted in the work by schemers, who seek nothing but private interest in stirring antipathy of the red man toward the white, knowing it is done to the red man's destruction.

"Over the whole wide Union no other place exists where the white man owns nothing, and is successfully withstood in his efforts to gain a foothold. The domain of the Five Tribes is the last alien land, and the battle is now on to decide the fate. It is useless to mince matters or to evade the true issue. Beginning in the Chickasaw Nation to extend to the rest of the tribes the last battle between the races is now being fought to determine a final supremacy over all this land. It is the last struggle of a dying nationality before passing out of existence as such forever.

"No one with justice in his heart can blame the motive which inspires this last effort, and yet no one with judgment can predict anything but disaster for the attempt to preserve Indian autonomy. The time for it to disappear has come, and it is now better for the Indians that it should disappear, and with it all that remains of the ancient customs and traditions. Their surroundings are such now that they could not possibly continue as they have been, even if both white and red desired it. They are crowded, cramped, enclosed from without, and divided and discontented among themselves. The end has come and they feel it, recognize it, but they would be strange humanity if they failed to resent this decree of fate by some manifestation of rebellion against it.

"This is the philosophy of the situation, and he who encourages the discontent and incites the passions of hate to fiercer heat is either blind to the steady record of destiny or seeks personal advantage in the more perfect destruction of the human race. The fact may be a sad one, but it is nevertheless a fact, that there is no longer a place on the soil of the Union for the Indian, as an Indian. The pathos of his situation should and does appeal to all just men, but the logic of fate cannot be moved by the praying of a falling

race, nor their destiny averted by a tear for their end. I would most respectfully ask that we as members of the National Council should take these matters into deep consideration, and look toward the best interest to our country and our young generation, wives and children."

These addresses fairly represented the views of the full-blood Indians. While, at first, they were very emphatic in their opposition to agreeing to any proposition which had for its ultimate object the final dissolution of their tribal affairs, they finally became convinced that the United States Government was determined to take action of some kind, either with or without their consent, and in order that they might have a voice in determining what the character of the threatened legislation should be, the majority of the Indians gradually fell in line and consented to treat with the Dawes Commission, although, to this day, some of the full-bloods are not satisfied with the changes which have since been brought about.

ATTITUDE OF INDIANS TOWARD DISSOLUTION OF TRIBAL GOVERNMENTS

On November 11, 1896, the International Council, composed of delegates from each of the Five Civilized Tribes, met at South McAlester to consider the matter of treating with the Dawes Commission, looking toward the dissolution of their tribal governments. Captain Standley of the Choctaw Nation was elected president, and Robt. L. Owen of the Cherokee Nation, secretary. After full discussion they adopted resolutions providing:

First: That if compelled to dissolve their tribal governments they would insist upon the prompt payment of all claims due from the United States under treaties or other sources.

Second: That they would insist that the United States pay each Indian $500 for giving up their tribal governments.

Third: That a sufficient portion of their tribal lands be set aside for the maintenance of their educational institutions under the Carlisle system.

Fourth: That they would retain their tribal governments as long as possible, which lease of life should be at least twenty-five years.

Fifth: That they would never consent to a territorial government or to a union with Oklahoma Territory.

Sixth: That when their tribal governments were abolished they would ask that Indian Territory be admitted into the Union as a state, and that the constitution of their proposed new state should contain a provision absolutely prohibiting the liquor traffic.

About the same time that the foregoing resolutions were being considered by the Indian councils, Senator Dawes, the father of the Dawes Commission, delivered an address before the annual conference of Indian Friends at Lake Mohonk, New York, in which he made the following statements: "Why is it that the Indian Territory is left without state or territorial government? There is no answer in the law nor in the constitution, much less in the possibilities of continuance. I respect the sentiment that is solicitous lest we should violate the treaty rights of these people. But I am unable to come to the conclusion that we ever did or ever had the power to abdicate our authority over any foot of the territory governed by the flag and constitution of this country. It was beyond the power of this Government under the constitution to do it. The constitution is the measure of the power of every branch of this Government. Congress sold this land to those people for a purpose, but the rules and regulations concerning it, the government of it, it not only never did sell to them, but never could have sold. The Constitution of the United States has never attempted to do this. Whatever was done was in a sort of treaty not made by Congress, and there is not a jot of authority in the constitution for those people to set up a government over a portion of the people of this country that is independent of the United States. The title was conveyed to these nations for the benefit of the people. It was put in their hands as trustees for each and every one of the citizen Indians. Every one of these treaties contemplates two things. First, they shall hold this land strictly for the use of each and every Indian, share and share alike, and they provide that the old system should pass away. They provide that whenver they choose they may take land in allotment, and the United States shall survey the land for them at its own expense, that whenever they choose to they may establish a territorial government and have a delegate in Congress.

"This is what the commission has been importuning the United States at one end and the Indians at the other to do. And that is what those who hold the power and are gathering the fruits of their iniquitous greed into their pockets have resisted to this day.

This commission has asked for the violation of no treaty obligation. We were charged from the beginning to say to these people: Our desire is that you shall do this yourselves. The condition of things is growing worse every day that it continues. No description of the crimes committed will compare with the reality, and it was our duty to impress upon them that a change must come. And I am glad to say that the light is breaking upon them. They begin to see that the end has come, and they are beginning to negotiate with us now. Suppose they have an independent government, who made it? The United States made it and can unmake it. While the property conveyed to these people is a vested right that can never be taken from them, the political status is not a vested right. There is no political condition that is a vested right. It is constantly being changed by the power that made it; and the power that made whatever independent authority is there, was the nation, and the United States has the power to resume it. These nations held the title in trust for the people. What have they done? They have misappropriated the trust. What is plainer than that if a trustee violates a trust he may be removed? It is in behalf of the Indian, not of the white man, that we are sent down there and it is in behalf of the Indian that we plead to have his possessions allotted to him by his own act, by the Government of the United States, or by some court of equity."

In 1897 the personnel of the Dawes Commission was again changed by the appointment of Tams Bixby of Minnesota and Thomas B. Needles of Illinois, in place of Commissioners Cabaniss and Montgomery. On account of his age and enfeebled health, Chairman Dawes was unable to continue actively in the work and Mr. Bixby became acting chairman of the commission. Mr. Bixby's predominant inclination for getting into the harness and getting up steam soon began to manifest itself in obtaining the results which the commission was appointed to secure.

The first satisfactory agreement which the commission was able to make was with the Choctaws and Chickasaws in what was called the Atoka Agreement, which was incorporated in the Curtis Act and became effective June 28, 1898.

The Atoka Agreement authorized the commission to make a roll of Choctaw and Chickasaw citizens who were legally entitled to share in the lands and moneys of the two tribes, and to appraise and allot their lands in severalty. The Curtis Act also authorized

the commission to proceed with the enrollment of citizens and the allotment of lands of the other three tribes which up to this time had not consented to any agreement. The Curtis Act (so called in honor of the Kansas senator, the author of the bill, himself an Indian) was the most comprehensive piece of Indian legislation ever passed by Congress, as it provided, not alone for the enrollment of all Indian citizens and the allotment in severalty of their lands, but it also provided for the final settlement of all tribal affairs and the abolishment of all tribal governments by March 4, 1906.

The Dawes Commission now entered in earnest upon what was, perhaps, the most stupendous task ever assigned to any similar commission, viz: that of surveying, appraising and dividing 20,000,000 acres of land, equally, according to value, among 101,500 rightful heirs.

First, a roll was made, showing the name, age, sex and degree of Indian blood of each applicant. Some of the full-bloods who had the most perfect right to share in the tribal lands and moneys, refused to enroll at all, and had to be sought out in their remote homes in the hills, while hundreds of white people, mostly of the ignorant, shiftless class, tried in vain to prove that they or some of their ancestors, had Indian blood in their veins.

In order to know that each Indian was receiving his rightful share of land, according to value, it was necessary for the commission to send out appraisers who were required to view every forty-acre tract of land in the Territory and fix its relative value.

When the Cherokees, Creeks and Seminoles saw that the United States Government was determined to carry forward this work, regardless of any agreements with them, they were more inclined to treat with the commission, but they objected to putting certain provisions of the Curtis Act into force in their respective nations. The commission finally succeeded in making satisfactory agreements with the Creeks and Cherokees, containing slight modifications of the provisions of the Curtis Act, the Creek agreement becoming a law on March 1, 1901, and the Cherokee agreement on July 1, 1902.

On March 1, 1899, Congress reduced the membership of the Dawes Commission from five to four, and the vacancy caused by the resignation of Frank C. Armstrong, was not filled. On June 15, 1900, Clifton R. Breckinridge of Arkansas succeeded Commis-

sioner McKennon. On February 3, 1903, Henry L. Dawes, father of the commission, died and ex-Gov. W. E. Stanley of Kansas was appointed to fill the vacancy. Stanley resigned on March 31, 1904, and as the enormous task of the commission was approaching completion, no appointment was made to fill the vacancy.

Upon the death of Commissioner Dawes, Tams Bixby was appointed permanent chairman by the Secretary of the Interior, although he had been actually serving as chairman for five years.

By June 30, 1905, the work was so far advanced that the services of four commissioners were no longer needed and the commission was abolished, Tams Bixby being appointed as commissioner to the Five Civilized Tribes, to complete the task.

The location of the permanent headquarters of the commission at Muskogee aided very materially in the rapid growth and development of this city, as it brought an army of clerks and other employes of the commission from almost every state in the Union, and thousands of Indians and would-be Indians flocked to the city, seeking enrollment as members of the Five Tribes and making their selections of lands. The task of the commission required it to send out to various parts of the Territory enrollment crews, survey crews, appraisement crews, timber-estimating crews and appraisers of improvements. Accompanying them were clerks, stenographers, interpreters, teamsters, cooks, tents, wagons, cooking utensils, office blanks and records. In addition to this army of field workers, hundreds of clerks were kept busy at headquarters in Muskogee, making up the records and attending to the wants of the scores of Indians who daily came to the offices of the commission.

By the close of the fiscal year June 30, 1907, the principal part of the work of the commission was completed, leaving some details as to minors, full-bloods and contested cases to be adjusted, and on that date Mr. Tams Bixby resigned as commissioner and the work of settling up the odds and ends of the Indians' affairs was assigned to J. George Wright, the United States Indian Inspector for the Territory.

CHAPTER X

ALLOTMENT OF INDIAN LANDS

TOWN SITES—HOW INDIAN LANDS WERE SOLD AND TITLES OBTAINED TO LAND AND TOWN LOTS

After eight years of negotiation and persuasion, the commission to the Five Civilized Tribes finally succeeded in effecting an agreement with the Creek Nation, providing for the allotment in severalty of Creek lands, which agreement was approved by Act of Congress March 1, 1901, and ratified by the Creek Council at Okmulgee June 25, 1901.

On the same date (March 1, 1901) Congress approved an agreement of a similar character which the commission had concluded with the authorities of the Cherokee Nation, but at a popular election called by the Cherokee Council this agreement was rejected by a vote of 2,323 for, and 3,346 against its ratification.

However, on July 1, 1902, Congress passed another act providing for the individual allotment of the lands of the Cherokee Nation which was ratified by the Cherokees at an election held on August 7, 1902. The Kee-Too-Wah society of Cherokees, composed of full-bloods who had unflinchingly opposed any change in tribal customs or modes of living, refused to abide by the result of this election, and for many succeeding years refused to accept the land which the Dawes Commission arbitrarily allotted to them.

On March 3, 1901, Congress passed an act conferring United States citizenship upon every Indian in Indian Territory.

The Creek agreement provided that their lands should be appraised at their fair cash value regardless of improvements, and each man, woman and child, including freedmen, was permitted to select 160 acres of any grade of land.

The lands were appraised at from 25 cents to $6.50 per acre according to quality. Those who selected quarter sections of the best grade, therefore, received $1,040 worth at the appraised value.

In order to equalize the value of allotments, it was further provided that any citizen whose quarter section was of a lower grade of land, would be entitled to receive the difference between the appraised value of his land and $1,040 in cash from Creek funds, or he might claim additional land to make up this difference. Each citizen was required to select one forty-acre tract out of his allotment to be designated as his homestead, for which he received a separate deed, and which, for several years, he was not permitted to sell.

As soon as the Dawes Commission announced that it was ready to allot lands there was a stampede of Indians and negroes for the office of the commission from all parts of the nation, each one apparently anxious to secure the land which he had selected as a home, before some other citizen should claim it. Many full-bloods, however, who had been persistently opposed to the breaking up of tribal relations and, especially, to the individual allotment of lands, refused to make any selection of land, and the commission subsequently selected their lands and issued certificates of allotment to them, some of whom returned their certificates to the commission with the information that they preferred to live as they had always lived. A few years later, however, they reluctantly accepted their allotments.

Previous to this time numerous cattlemen, mostly white, intermarried citizens, had held possession of large tracts of land divided into pastures of perhaps a square mile each, and all substantially enclosed by wire fencing. In order to retain control of their ranches, they hauled wagon-loads of Indians and Negroes to Muskogee, pitched their tents across the street from the commission's headquarters and proceeded to have the Indians and Negroes in their custody to select allotments in their large pastures. The cattlemen had a previous agreement with such allottees by which they were able to retain their pastures intact by paying the allottees 25 cents per acre, annually, as rental.

Immediately following the issuance of allotment deeds, and before the allottees were authorized to sell any part of the lands, reckless land speculators began to take deeds from ignorant Indians and Negroes, paying only a nominal consideration. Such buyers knew that these deeds were not valid, but by taking possession of the land they felt reasonably sure of holding it until their crops would reimburse them for the nominal price they had

Courtesy of C. W. Turner

OPENING OF THE INDIAN LAND OFFICE, APRIL 1, 1899

Courtesy of C. W. Turner

WEST SIDE OF MAIN STREET, MUSKOGEE, 1888

paid for the land, and that their possession and fraudulent deeds would give them a shadow of title which they hoped to be able to perfect at some future time, and which they fancied would keep other prospective buyers away.

The Government, however, prosecuted many suits to cancel these fraudulent deeds and restore the allottees to the rightful possession of their lands, and in the end, the "grafters" did not realize much profit from their disreputable practices.

On April 21, 1904, Congress removed the restrictions upon all adult allottees not of Indian blood, except as to homesteads, which authorized each adult Negro and intermarried citizen to sell all of his land except the homestead. The same act authorized the Secretary of the Interior to remove the restrictions upon the sale of land of any Indian, except as to homesteads, whenever such removal was found to be to the best interest of the Indian.

The passage of this act was the signal for a lively scramble among land buyers, for the Negroes and Indians had never before been owners of real estate, had no conception of its value, and were totally uninformed as to the value of real estate and as to the import or significance of a warranty deed. In numerous instances Freedmen were known to execute a half dozen or more deeds on the same land to as many different purchasers, which, of course, resulted in numerous lawsuits and complications of titles. Most of the Freedmen sold their land at whatever price the buyer chose to offer, and soon squandered the proceeds, but some of the more intelligent ones refused to sell and are now in good circumstances. It was not unusual in those days, to see a Negro, who had never before been able to own a $40 pony, drive down the streets of Muskogee, with a new buggy, harness and team of horses, and passersby would remark: "Another nigger has sold his land." Some of the ignorant Negroes and Indians who neglected to select their allotments until after all the good land was taken, were compelled to accept seemingly worthless lands out among the rocky hills, but by an unexpected turn of the wheel of fortune quite a number of these poor tracts have since been found to be underlaid with oil, and several of those ignorant, neglected allottees are today millionaires.

The most sweeping law which Congress has enacted concerning the removal of restrictions upon the sale of Indian lands, and which threw the greatest amount of land upon the market, was the

Act of May 27, 1908, which provided that all lands, including homesteads, of intermarried whites, Freedmen, and Indians of less than half-blood, including minors, and all lands, except homesteads, of other allottees of less than three-quarters Indian blood, should be free from all restrictions. This act left all such Indians and Freedmen, who were adults, free to sell such lands, without consulting the officials of the Interior Department.

The Act of Congress of July 1, 1902, providing for the settlement of the affairs of the Cherokee Nation, gave to each citizen 110 acres of average land. Those who selected the best grade of land received less, and those to whom were allotted the poorer grades received more, in proportion to the appraised value, as determined by the Dawes Commission.

This act provided that no white person who had intermarried with a Cherokee citizen subsequent to December 16, 1895, should be entitled to enrollment or to share in Cherokee property.

The final enrollment of Indian citizens shows that in the Cherokee Nation there were 8,703 full-bloods; 1,803 three-fourths-blood or more; 2,975 from one-half to three-fourths blood; 23,424 less than half-bloods, including intermarried whites and 4,919 Freedmen.

Of the Creeks there were 6,858 full-bloods; 541 three-fourths-blood or more; 1,157 from one-half to three-fourths blood; 3,396 less than half-bloods and 6,809 Freedmen. The restricted Indians (those who could not sell their lands except by consent of the Secretary of the Interior) included all who were of one-half or more Indian blood. Of the 13,481 restricted Cherokees enrolled, the restrictions have been removed of about 6,000, either by death or by the Secretary of the Interior.

Of the 8,556 restricted Creeks, there are now remaining about 5,500.

The Cherokees had an estate of about 4,420,000 acres of land to be divided, while the Creeks had about 3,080,000 acres.

TOWN SITES

HOW TITLES TO TOWN LOTS WERE SECURED

Immediately following the disastrous fire of February 23, 1899, which destroyed nearly all of the business section of Muskogee, the citizens made an earnest appeal to the Secretary of the Inte-

rior to appoint a townsite commission to survey and plat the town lots and fix the appraised value thereof, as provided by the Curtis Act of the previous year.

Prior to this date a prosperous town of 4,000 inhabitants, with well-built homes and substantial brick store buildings, had been built up, with no one having a valid title to the lot upon which he had made improvements. The fee simple title was still vested in the Indian tribe and the occupant had acquired only a possessory right to it from some Indian who had formerly occupied it. Homes were sold and exchanged by bills of sale, instead of deeds, that document conveying title to the improvement, but only a preference right of possession to the lot. The newcomer who had been accustomed to warranty deeds and abstracts of title, was naturally inclined to view such titles with suspicion, but the pioneers who had built their homes and store buildings, had faith in the Government and believed that, in some way or other, it would eventually provide some modus operandi by which they could secure title to the lots which they occupied.

The town-site law provided that for each town a commission might be appointed, consisting of three members, one to be appointed by the Secretary of the Interior, one member by the chief of the nation and one by the town. For Muskogee, the Secretary of the Interior appointed Dwight W. Tuttle, of Connecticut, as chairman and disbursing agent; the town appointed John Adams, who served as clerk; Chief Pleasant Porter declined to make any appointment and the Secretary of the Interior named Benjamin Marshall as the third member.

Mr. Tuttle was a typical Yankee, unfamiliar with the manners and customs of the Wild West, but he entered upon his task with a zeal characteristic of the Connecticut Yankee; Mr. Adams was an old resident of Muskogee, and Mr. Marshall, a Creek, still resides in Muskogee.

The commission was empowered to have the town surveyed into lots and blocks and to appraise each lot at its fair cash value. Any person having possession of a lot upon which there were permanent improvements, had the right to secure a deed to it, signed by the Secretary of the Interior and the chief of the Creek Nation, upon paying to the tribe one-half of the appraised value of the lot. The appraisements were not excessive, ranging usually from $20 to $100 per lot. Immediately there began a boom in

building. Many substantial residences and store buildings were erected, but many of the outlying lots were soon dotted with shacks, from 6 to 10 feet square, built in order to give public notice of claim of ownership and to take advantage of the one-half payment clause.

The law permitted each person to claim but one vacant lot at the appraised value, but certain persons who foresaw a city of rapid growth, listed many lots in the names of their friends, mostly non-residents, in order to secure deeds to them by paying the low appraisement. This scheme resulted in protracted litigation and much annoyance to people who wanted to build homes.

Attorneys W. L. Sturdevant of St. Louis and M. L. Mott were appointed by the Government to institute suits for cancelling such deeds. Several hundred suits were brought, locally known as "Mott suits," which beclouded the title to hundreds of lots for twelve or more years, but were finally compromised and settled by the payment of an agreed amount in excess of the appraised price of the lots. It was an unfortunate affair for Muskogee, inasmuch as the cry "Beware of the Mott suits" caused prospective investors to be suspicious of town lot titles and delayed the building of many houses.

In the Cherokee Nation the town site work was somewhat simplified by reason of the fact that the Cherokee Council had provided for the incorporation of towns and the sale of lots to citizens.

Fort Gibson was the first incorporated town in Indian Territory.

CHAPTER XI

MEN AND EVENTS AMONG THE CREEKS

COL. D. N. M'INTOSH—THE GREEN PEACH WAR—THE SPRINGER COMMISSION—ADDRESS BY CHIEF PLEASANT PORTER—JOHN DAVIS—THE FISH FRY—ISPARHECHER OPPOSES CHANGES—PERRYMAN VS. BULLETTE—NAPOLEON B. MOORE.

Col. Daniel N. McIntosh was a half-blood Creek, a man of striking personality and possessed in an eminent degree the qualities of energy and bravery. He was a native of Georgia, born in 1822, just at the time when the whites were planning to get rid of their Indian neighbors. He was said to be related by blood to Governor Troup of Georgia, who was the bitter enemy of the Indians. After acquiring a good education, he came to Indian Territory and settled near Eufaula. He took an active part in the affairs of his tribe and was a member of the National Council and Chief Justice of the Creek Nation. At the beginning of the Civil war he espoused the cause of the Southern Confederacy and organized a regiment of mounted volunteers, of which he was chosen colonel. He took an active part in the battle of Pea Ridge, Arkansas, and in many of the battles and skirmishes which took place in the Territory.

THE GREEN PEACH WAR

The Green Peach war, so-called because it began during the season of the year when peaches are green, occurred during the summer of 1881 and was the cause of a great deal of anxiety and bad feeling throughout the Creek Nation, although it did not result in many deaths. It was the outgrowth of a feud between the Northern and Southern Creeks, which had been brewing ever since the Civil war. In 1875 Lachar Harjo, a Northern Creek, was declared elected chief over Samuel Checote, a Southern sympathizer

who had held the office continually since 1867. Checote's followers claimed that the treaty which they were compelled to make with the Government at Fort Smith at the close of the Civil war, was much more favorable to the Northern, or Loyal Creeks, than to the Southern faction, and that treaty continued to be a bitter bone of contention between the two Creek factions for many years. The Southern Creeks, being in control of their legislature, impeached Chief Harjo in 1876 and appointed Ward Coachman to serve for the three remaining years of the term. In 1879 the ex-confederate soldier was again chosen chief and his election increased the antagonism between the two factions. In this case, however, as in many other instances of its kind, the immediate cause of the war between the two factions was in no manner related to the main issues between the two belligerent parties. During the spring of 1881 a Creek Indian of the northern faction stole some horses and sold them to Clarence Turner. A band of Indians from the Sac and Fox Agency came over, identified the horses as belonging to them and took them from Turner. After a lively chase the thief was arrested by Captain Bruner of Chief Checote's light horse brigade. Captain Bruner was killed by an Indian who was supposed to belong to the northern faction led by Isparhecher, the leader of the so-called Loyal Creeks. Armed bands of scouts were formed on both sides and Isparhecher formed a camp at Nuyaka, twelve miles west of Okmulgee. Chief Checote called upon Gen. Pleasant Porter to take command of the tribal militia. In the meantime the horse thief escaped, slipped over into the Cherokee Nation and in January, 1882, appeared again in Muskogee with more horses to sell. Mr. Turner recognized him and called on General Porter to arrest him. In the melee which followed the thief was shot by one of Porter's posse. Isparhecher threatened an attack upon Okmulgee, the Creek capital, but General Porter's militia met him and chased him over into the Sac and Fox country. Some skirmishing took place during this war near Wewoka and Okemah, and while it caused much unrest and excitement, from the standpoint of the number of fatalities, it was not much of a war.

THE SPRINGER COMMISSION

On the 25th day of September, 1889, a Congressional committee, headed by Judge Springer, who later became judge of our

GENERAL PLEASANT PORTER
In costume of his ancestors

United States District Court, visited Muskogee for the purpose of gathering information concerning conditions, and to persuade the Indians to consent to the winding up of their tribal affairs. In the evening of that day a public reception was tendered to the distinguished visitors which was largely attended by both whites and Indians. Speeches were made by Judge Springer and other Congressmen.

When it is remembered that at that time the great majority of the Indians were bitterly opposed to any change in their tribal relations, the following address delivered by Gen. Pleasant Porter, late chief of the Creek Nation, may indeed be regarded as a memorable message from a far-seeing Indian statesman, to his own incredulous people:

Address of Chief Pleasant Porter of the Creek Nation, upon the occasion of the visit of the Congressional Committee on Indian Affairs, September 25, 1889:

"Fellow Citizens: You have heard what these gentlemen have said and they have voiced the sentiments of Congress. While other members of that body may differ from them on immaterial points still Congress, as a whole—and I have had personal opportunity of becoming informed on that point—is of the conviction that the Indian problem should cease to be a vexed question among the American people.

"The feeling is that justice can be done to the Indian as well under the Constitution of the United States and the protection of the American flag as to any other race that has come under its protection. The treatment of the Indians in this country has been based on the Christianity and conscientiousness of the American people.

"When they came to this country the Indians were in their primitive state. It was thought that it would be injurious and inimicable to the interests of both races to try to place them under one system of government. The wisest plan was thought to be to care for the Indians as children, sending Christian missionaries to labor among them, to see if in time they would not develop sufficient ability to make them citizens. In preparing them for civilization, Christianization and citizenship, the first lesson to the Indian people was the use of iron. They were taught that iron is stronger than wood—that iron spears and plows and other implements for defense in war, for use in securing a livelihood

whether by hunting or by cultivating the soil, were far better than implements made of wood or stone. All the good that has come to the Indian people we may trace from this beginning. Instead of destroying the Indian people, the policy of the United States has been to gradually teach him the use of the methods of civilization. This course has been humane beyond all precedent in history. Heretofore whenever a nation of conquerors has come in contact with a weaker one, it has swept out the weaker before it like the forest itself. Christian civilization has endeavored to bring the weaker race up to its own standard.

"I am glad that you have heard the words of these gentlemen who represent the heart, the head of the progress of our Nation. I will tell you, my fellow citizens, it is a very short time until we must settle our own destinies. We may have statehood, we may have civil liberty. Here we are in the very heart of the Nation, why should we not respond to the heart-beat of the Nation? Why should we not become a part of the very body of the Nation? Why may we not come to the American people and be received by them, as part and parcel of them, an element of which they will be proud as of no other part of their great Nation, because it will show the success of their humane feelings toward us. For myself, I say that as an Indian, as a man, I have no higher wish, no greater aspiration, no dearer hope in my heart, than to see the consummation of this humane purpose and policy of the Government.

"We must rise above the superstitions and prejudices which have so long embarrassed our progress. We have adopted the letter of the institutions of Christianity, we have but in part reached the spirit of Christianity.

"We must put ourselves in accord with the full measure of American Christian institutions or there is no place, no part for us in the future. 'The letter killeth, the spirit maketh alive.' That we have heretofore failed to do this should not deter us now. The laws of the Medes and Persians belong not to the civilization of the present day, but to a by-gone civilization. Christian civilization to which man has attained means change, development, progress and the betterment of man's condition, and his elevation to a higher and nobler destiny. We should be governed by reason and not by prejudice. We must appreciate and grasp the conditions with which we are surrounded, that we may be able to make them factors of our self-protection and preservation, instead of their

WILLIAM ROBISON
A worthy leader among the Creeks of the past generation

becoming the instrumentality of our destruction. We should not fail to do our part, however small it may be, in bringing to pass the bright day when, not only here, but the world over, shall be acknowledged the universal brotherhood of man."

JOHN DAVIS

John Davis, a full-blood Creek missionary, was one of the old-time Indians who was very deeply interested in the religious welfare of his people. He was born in Tennessee in 1800 and was captured by an American soldier in the War of 1812, who took him to his home and educated him. Upon reaching manhood he was released and came with his people to Indian Territory, where he devoted his remaining years to missionary work under the direction of the Presbyterian Board. He assisted Rev. W. S. Robertson and Rev. R. M. Laughridge in translating religious hymns and portions of the Bible into the Creek language. He died at his home in the Creek Nation in 1840.

CREEK FISH FRY

From time immemorial, some of the Indian tribes, especially the Creeks, have observed one of the celebrations, known as their Annual Fish Fry. This festivity is held in the early autumn when the streams are low.

For several days previous to the fry young Indians are sent out through the woods to gather a supply of roots, leaves and plants with which to intoxicate the fish. For this purpose the leaves and hulls of green walnuts, the roots of the buckeye and the roots of the plant called "the devil's shoe string," are gathered and beaten into pulp, retaining all the juices. On the morning of the appointed day it is not unusual for several hundred Indians to arrive at the fishing grounds with their ponies, wagons and tents, the length of their outing depending upon the success of the men in gathering in the fish. A deep place in the stream where the water is still, is selected, and with the men lined up on either bank of the stream with spears, bows and arrows, the concoction is poured on the surface of the water. It seems to intoxicate the fish which come near the surface and are easily pierced with the spears and arrows of the experienced fisherman.

ISPARHECHER, CREEK CHIEF, OPPOSES ANY CHANGE IN TRIBAL AFFAIRS

As late as August 31, 1897, after several conferences had been held between the Dawes Commission and Creek delegates, Isparhecher, the full-blood chief of the Creek Nation, asked his council to recall the delegates who had been selected to treat with the Dawes Commission concerning the allotment of lands. In his message to the council, the chief said:

"I have ever honored the United States as my great, good father; I have faced the bullets of her enemies in defense of her stars and stripes, and I trust in the sear and yellow leaf of my life I shall not be doomed to see a sacrifice of this loyalty by breaking up the homes of myself and my people."

Under the leadership of Gen. Pleasant Porter, however, the Creek council refused to recall their delegates, but instructed them to continue their negotiations with the Dawes Commission.

On March 8, 1900, an agreement was finally consummated, providing for the individual allotment of Creek lands and for the winding up of Creek tribal affairs.

A few months later the Creek chief expresses his views very freely in a letter to the public, as follows:

"Okmulgee, I. T., February 15, 1898, I see in the public prints much surmising concerning myself. Some think I have retired to my country home to saw wood, others that I have accepted the inevitable without a further struggle, and still others say that I am planning either war or a general exodus of my people to Mexico. None of these surmises disturbs me in the least, for I do not regard them as more than the idle, passing wind. Yet, inasmuch as my silence seems to annoy some people I will now ask you to give the public my views of the situation as I now see it. The United States Government has by its late acts of Congress abrogated the treaties heretofore made with the Indians of the Indian Territory, disregarding their wishes and ignoring their treaty rights. I feel that this is an assumption of power unauthorized by the organic laws of the American Union, and simply a declaration of war, which would be resisted as such if such treatment was attempted against the similar rights of any other nation other than the weak, defenseless tribes of the Indian Territory. In other words it is a challenge of power without affording the Indians any weapon of defense. The Indian is simply a target to stand up and be shot

ISPARHECHER
Noted full blood Creek chief

down. This is not fair. Let the Indian have an equal show and, if he then proves himself an unequal match, his defeat cannot be charged to unfairness. It has ever been the boast of Americans that, above all other things, they love fair play—equal rights to the humblest of her citizens, at all times—but I ask in all candor, is such the fact regarding the Indians at this time?

"Is it fair that the Creeks shall be denied the use of their money to use as they please? Are they not free born, and entitled to the exercise of the rights guaranteed to a free people? Yet we, the Creeks, are denied the use of the means necessary to protect our rights in the courts of the United States. The great president of a free people says we can't have the money to test our constitutional rights in the courts. Thus it seems that we, the Creeks, have no rights of self-control, and are to be dealt with as little children only. ISPARHECHER."

PERRYMAN VS. BULLETTE

In 1895 quite a spirited contest arose among the Creeks upon the question as to who was their lawful chief. L. C. Perryman was acting as chief and had been recognized as such by the authorities of the tribe, but Edward Bullette claimed that he had been legally elected to that office.

After a good deal of wrangling over the matter, the Creek Council, on June 8, 1895, ousted Perryman from office and Bullette was installed in his stead.

NAPOLEON B. MOORE

Napoleon Bonaparte Moore, a prominent Creek, was born in Alabama on June 8, 1828, his mother, being a member of the Cussetah band. He attended the public schools of his native home and worked on his father's farm. He came west with Creeks in an early day and soon became a prominent character in the affairs of the Creek Nation. Upon the breaking out of the Civil war he aligned himself on the side of the Confederates and became a lieutenant in Col. D. N. McIntosh's famous regiment of Indians. At the close of the war he returned to the Indian Territory and was soon elected as a member of the Creek Council. A few years

later he was elected as judge of the Supreme Court of the Creek Nation and upon retiring from the Supreme bench he became treasurer of the nation—a position which he held at the time when, by the sale of the western lands of the Creeks, the tribe was suddenly enriched and the responsibility of handling their funds greatly increased. In the winter of 1889-90 he was a delegate to Washington, the other members of the delegation being Kowee Harjo and Hotulkee Emathla, neither of whom could speak English. Without the aid of any attorney and with the payment of no fee to lawyer or lobbyist, Judge Moore secured an appropriation of $400,000 for the Creek people, the only time on record when an appropriation was secured without the exaction of tribute by "The Third House." It was undoubtedly the simple, honest integrity of these Indian delegates as interpreted by Judge Moore, that accomplished this. He continued to hold the position of treasurer until the Creek Nation ceased to exist.

Rhoda, the wife of his youth whom he married from his tribe and who had been the faithful companion of many years of weal and of woe, died in 1874. Eight years later he was married to Augusta Robertson Craig, widowed daughter of the Reverend Mr. Robertson of Tullahassee and sister of Miss Alice Robertson, the present worthy member of Congress from the Muskogee District. Mrs. Craig had since completing her education in the East been continuously engaged in educational work among the Creeks, and in marrying Judge Moore it was with the promise that she should be allowed to continue the work in which she had so long aided her sainted father who was called to his reward in 1880. At no small personal sacrifice this promise was faithfully kept when, closing their home at Moore's Ranch, they went out together to a new work among the full-blood Creeks at Nuyaka Mission. In this noble work he continued to assist as trustee until at their earnest request years later, the responsibility was placed in other hands.

A very marked characteristic of Judge Moore was his quiet helpfulness to those in need. No one but himself knew to how many orphans he had shown a father's care nor how helpful he had been by quiet suggestions to others where they also could help. His gifts to church and school purposes knew no limitation of section or creed, his reward being in the joy of seeing the good thus done but of which he never spoke himself. The beautiful little

stone church at Haskell and the commodious manse adjoining bear special witness to his liberal giving.

Always of a deeply reverent and religious nature he made no profession of religion until he united with the little Presbyterian Church at Nuyaka Mission. Afterwards he was a member for years of the First Presbyterian Church of Muskogee, that being the nearest church to the ranch where he lived. With the building of the Midland Valley railroad the new town of Haskell came into existence and he was one of the charter members of the church organized there, holding the office of ruling elder until his death, which occurred a few years ago.

At the funeral service were present members of the Masonic order, the Confederate Veterans, the Daughters of the Confederacy, the Spanish War Veterans and the Woman's Auxiliary of the Spanish Veterans, and all the various societies of the First Presbyterian Church. A special car attached to the train for Haskell was filled with friends.

The body lay in state for an hour in the little Stone Church at Haskell which he had loved so well and which was beautiful in autumnal decoration so fitting to the life just ended. Here the address was made by Dr. A. Grant Evans who had known him a quarter of a century and he told the story of the quiet, forceful life of the Christian citizen as he had known it. A most eloquent tribute was the brief remarks of the Rev. F. T. Heatley, pastor of the Haskell Presbyterian Church.

CHAPTER XII

CREEK CONSTITUTION AND LAWS

CONGRESS ABOLISHES TRIBAL COURTS—THE SANDS REBELLION—COLONEL SPRAGUE'S OPINION OF THE INDIAN—TRIBAL TAXES

CONSTITUTION OF THE MUSKOGEE OR CREEK NATION

The constitution of the Creek Nation, adopted by its National Counsel in 1867 is a very comprehensive document. In addition to including in it the fundamental principles of government it also contains a complete code of civil and criminal laws. It provides that the law-making power of the nation should be vested in a council consisting of two houses, the upper house called "Kings" and the lower house "Warriors."

The members of the council are elected by "towns," really districts, for a term of four years.

The executive branch of the nation is vested in a "Principal Chief," with a "Second Chief" who corresponds to a vice president.

The constitution provides for a complete corps of officials, prescribing in detail the duties of each official, a system of courts, schools, etc.

The penalties of its penal code were severe, although it is said that they were not always rigidly enforced. The punishment for murder was death by shooting, and unless recently destroyed, bullet holes are still visible on the tree standing on the campus of the old Council House at Okmulgee, against which the guilty ones were stood, to receive their death penalty. The penalty for the first offense of stealing was fifty lashes on the bare back; for the second offense 100 lashes and for the third offense, death by shooting.

Any Indian convicted of false swearing was subject to a pen-

alty of fifty lashes on the bare back and was debarred from holding any office.

Any Indian who marries a blood relative receives fifty lashes on the bare back.

Any Indian who resists, abuses or injures an officer in the legal discharge of his duty shall receive from 25 to 100 lashes on the bare back, in the discretion of the court.

Any officer who exceeds his duty by abusing or injuring a citizen, shall be removed from office and shall pay the injured party from $25 to $100.

Any merchant who sells any goods on Sunday, except medicine or burial clothes in cases of sickness or death, shall, upon conviction, be fined $200.

Any person who finds an article of value and fails to let it be known shall be deemed guilty of theft and punished accordingly.

The Eufaula Journal of June 15, 1897, gives the following account of a trial under the Creek tribal laws, which illustrates their tendency toward severity for the offense of stealing:

"A case somewhat out of the ordinary tried in Judge McIntosh's court last week was that wherein Will Grayson and Isaac Deer were charged with stealing chickens, and Taylor Jones as an accessory. Grayson was given fifty lashes on the back and Jones was sentenced to be shot. As it was his third offense of larceny he was doomed to be shot to death on June 26th, according to the Creek law. This is probably the only case on record where a man has been sentenced to death for such a trivial matter. It is not likely that he will be executed, however, as the chief has been asked to grant him a pardon."

The offender in this instance was pardoned, but it was not unusual in those days to shoot an Indian for stealing horses or cattle.

CONGRESS ABOLISHES TRIBAL COURTS

In 1897 Congress passed an act providing that on and after January 1, 1898, the United States courts in Indian Territory should have original and exclusive jurisdiction and authority to try and determine all civil causes in law or equity thereafter instituted and all criminal causes for the punishment of any offense committed after January 1, 1898, by any person in said territory.

This act sounded the death-knell of the tribal courts of the Five Civilized Tribes.

THE SANDS REBELLION

The Creeks were for many years divided into two factions or divisions known as Upper Creeks and Lower Creeks. Each had a chief, a second chief and a speaker of the Council. The nation was divided into about forty districts, called "towns." Each town had its chief and law-makers. When the tribe adopted its constitution, soon after the close of the Civil war, many of the petty offices were abolished, which caused quite a good deal of dissatisfaction, especially among those who aspired to office. The two factions now became known as the Checote party and the Sands party. The rivalry between these two factions had a tendency to cause the Creeks to forget, to some extent, the bitter feeling that had engendered during the war between the Loyal and the Southern Indians. Checote's party was inclined to be progressive while the Sands party wanted to drift back to the old customs and modes of living.

This feeling of bitterness became so tense that when Chief Checote tried to convene their National Council at Okmulgee on October 3, 1871, about three hundred of Sands' followers marched on the capital and broke up the Council meeting. Federal agents appeared on the scene, however, and persuaded both sides to lay down their arms and agree to an armistice.

In 1872, Sands, Cotchochee and Ketch Barnett, leaders of the Sands faction died and the bitter feeling that had been engendered between the two parties, gradually disappeared.

About this time much apprehension arose among the Creeks concerning the building of the Missouri, Kansas and Texas Railroad through the Indian Territory, which had been commenced in 1870 and was now running trains as far south as Muskogee. The railroad brought many white men, some of whom were employes of the road, while others were sight-seers and prospectors. Many Indians feared that this sudden influx of white strangers was the beginning of an invasion which would result in their losing their lands and their tribal form of government.

Another matter which caused the Indians to distrust the pale-faces at this time was the fact that the Loyal Indians whose homes

and property were destroyed and who were compelled to flee to Kansas for safety, had up to this time received only a small part of the remuneration which the officials of the Government had promised them for the losses which they had sustained.

COL. SPRAGUE'S OPINION OF THE INDIAN

On August 12, 1865, Col. John T. Sprague, commanding the Seventh Regiment United States Infantry, in reply to questions submitted to him by a Congressional committee headed by Senator Teller made the following statements:

"I was assistant Indian agent in 1831-32 for several western tribes, and in 1836 I was detailed to move about three thousand Creek Indians from Georgia and Alabama to their new home in Indian Territory. I was six months on the road and crossed the Mississippi River at Memphis. I took them to Fort Gibson and placed them on the reservation which had been assigned to them.

"My association with Indians has been intimate and extensive and I have always felt a deep interest in their welfare.

"In my opinion the Indians are decreasing in numbers, caused by their proximity to the white man. As soon as the Indians adopt the habits of the white man they begin to decrease, aggravated by imbibing all their vices and none of their virtues.

"Intoxication among them is excessive and unlimited. When liquor can be obtained, men, women and children will indulge in it and will sell all they possess to secure it. Liquor is often sold to the Indian by white traders and entered upon his account as calico, shirts, blankets, strouding, beads, etc.

"Twenty years of my service in the United States army, out of thirty, have been spent on the Indian frontier. I have conducted upwards of three thousand Indian men, women and children from their homes on the east side of the Mississippi to the west and located them upon reservations granted by the Government. I have been in daily intercourse with them in their camps and villages. I have met them in battle and have counseled with them in peace, and have eaten and slept for days and weeks in their camps and wigwams, and am satisfied that with a generous and protective policy the Indian can be successfully brought under the beneficial influences of civilization and be made to protect the frontier instead of being its terror. Treat them kindly, gener-

ously, honestly; fulfill all treaties and promises with the most scrupulous fidelity, then it will be found that they will yield to laws, advice and regulations with much more alacrity than the men or citizens by whom they are surrounded.

"To control the Indian you must have his unlimited confidence. They are good judges of human nature and can detect insincerity or dishonesty with wonderful alacrity. The age in which we live calls for a Christian policy toward this race, and a faithful administration. Liberal salaries should be paid to agents of every class, securing good men, thus avoiding the seductive influences of presents, rewards and speculations. Indian agents should become Christian missionaries, and unless they embark in the undertaking with a determination to serve God and their country, all efforts of the civil or military authorities will prove unavailing in improving the condition of the Indians."

TRIBAL TAXES

The tribal tax which was imposed upon white men and other outsiders who located in the territory and engaged in business of various kinds was never, at any time, regarded with favor by those upon which the tax was imposed. The tax was paid into the treasury of the tribe and became a part of the funds of the Indians. The merchants and others opposed it because they claimed that it was a species of "taxation without representation" inasmuch as they had no voice in determining for what purpose the funds derived from the tax should be used. They protested further against it upon the grounds that they received no benefit from the moneys so collected. No part of the tax money was used for public purposes, such as building roads and bridges, but became a part of the general fund of the tribe. The United States Indian authorities claimed the right of closing the store of any man who refused to pay the tax and to eject the owner of the store from the Territory. Quite a number of them were escorted across the Kansas line by the United States deputy marshals, but most of them soon found their way back, as there seemed to be no penalty applicable to such offenses except to escort the offender beyond the limits of the Territory. The opposition to this tax increased as the white population increased and reached a crisis when the towns began to be incorporated. The merchants of the

incorporated towns claimed that by the act of incorporation a town became detached or severed from the Indian lands and for that reason the inhabitants of such incorporated towns were no longer subject in any manner to the tribal laws. Many towns held mass meetings and protested against any further collection of such taxes and town authorities declared that they would protect their citizens in their refusal to pay them. The secretary of the Interior insisted that the tribal tax law was still in force and merchants must either pay it or get out of the Territory. Some merchants sought to enjoin the tribal tax collectors from levying on their goods or closing their stores.

In Muskogee, during Dr. Fite's first term as mayor, the tribal tax collectors who attempted to enter stores and levy on goods were arrested by the police and thrown in jail. The Muskogee Commercial Club, however, after the United States Court had decided that the tribal tax law was still in force, adopted a resolution recommending that the merchants pay the tax, and during the following week sixty local merchants paid it under protest.

CHAPTER XIII

A SKETCH OF CHEROKEE HISTORY; LEADING MEN AND EVENTS

CHIEF JOHN ROSS—JOHN HOWARD PAYNE—SCOTCH CHEROKEES—THE BOUDINOT FAMILY—JOHN JOLLY—DENNIS W. BUSHYHEAD—SEQUOYAH—QUAPAW AGENCY—STAND WATIE; WM. PENN ADAIR—JOE H. BENNETT—THE CHEROKEE ADVOCATE—EX-CHIEF BUSHYHEAD (CHEROKEE)—ABOLITION OF SLAVERY BY CHEROKEES—ACT OF EMANCIPATION—ROYCE'S HISTORY OF THE CHEROKEES—A PEN PICTURE OF THE OLD TIME INDIAN—THE KEETOOWAH SOCIETY—COMPACT BETWEEN CHEROKEE, CREEK AND OSAGE TRIBES—C. J. HARRIS—DELAWARE INDIANS—FRAUDULENT ENROLLMENTS.

CHIEF JOHN ROSS

John Ross was born in Rossville, Ga., on the third day of October, 1790. His father was a Scotchman and his mother a quarter blood Cherokee. He was educated in the academy at Kingston, Tenn. During his early manhood he manifested an intense interest in the welfare of the Cherokees and at the age of nineteen he was sent by the United States authorities on an inspection trip to Arkansas. From that early age until his death, which occurred in Washington, D. C., on the first day of August, 1866, he devoted practically all of his time to the service of his people.

He was active in assisting in the preparation of the Cherokee Constitution of 1827, and during that year was chosen as assistant chief, under William Hicks, principal chief.

In 1828 he was chosen principal chief, which position he held for eleven years, or until the exodus of the Cherokees from Georgia. While in that office he persistently and vigorously opposed the constant trampling under feet of the rights of the Indians by white intruders and officials. Upon several occasions

he was threatened with dire punishment by the officials of Georgia, because he refused to recognize the assumed right of state officials to abrogate and nullify the solemn treaties made by his people with the Federal government. Shortly after the Cherokees had settled in their new Indian Territory home, Ross was again chosen principal chief and held that position until his death in 1866, except during a brief interval of the Civil war period.

When Governor Lumpkin of Georgia proposed to survey a portion of the Cherokee Reservation within that state preparatory to selling it to white settlers, in direct violation of the solemn treaties made by the United States with the Cherokees, Chief Ross exerted every effort to prevent this unwarranted proceeding and publicly denounced the governor's action in the matter. In referring to this contest a few years later, Governor Lumpkin said: "The wicked, selfish and revengeful ambition of John Ross delayed their emigration and his more despicable white-cooperates effected the massacre of the Ridges, Elias Boudinot and others who were Cherokee patriots."

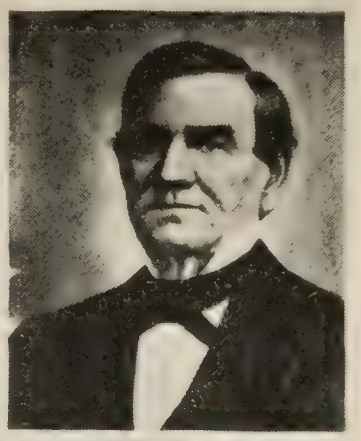
JOHN HOWARD PAYNE

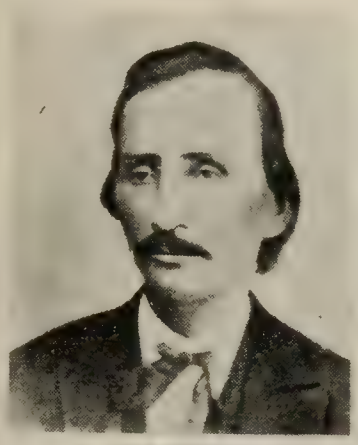
John Howard Payne was an actor of considerable ability, and a writer of plays, but he is best remembered and his memory revered on account of his being the author of "Home Sweet Home." About 1822 he visited the Cherokee Nation in Georgia at a time when the efforts of the state to get rid of the Indians were stirring up bitter feuds among the Indians. He criticized some of the proceedings which he witnessed and was thrown into jail on the charge of encouraging an insurrection at Red Clay. Rattling Gourd, a Cherokee chief, became so disconsolate over the treatment which his people were receiving from the whites that he committed suicide and was buried by a company of white soldiers, assisted by a Moravian missionary. Payne was permitted to attend the funeral and at the close of the ceremonies he sang "Home Sweet Home." General Bishop, the commanding officer called him to his tent and asked where he learned that song. "I wrote it myself," replied Payne. "Where did you get the tune?" asked the general. "I composed it," answered Payne. "Will you give me a copy of it?" queried the general. "Certainly, I will," said Payne, and he sat down and wrote the words and music.

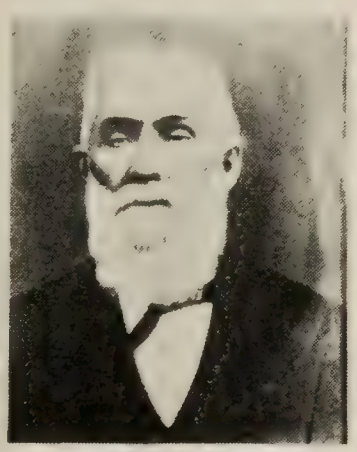
Chiefs of The Cherokee Nation and Sequoyah

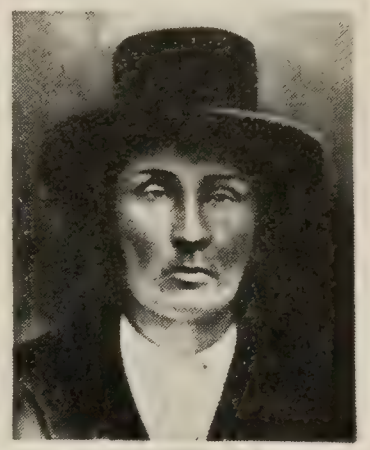
Inventor of the Cherokee Alphabet

1828 to 1916









CHARLES THOMPSON

C. J. HARRIS

S. H. MAYES

T. M. BUFFINGTON.

After glancing it over for a few minutes, General Bishop said: "Well, a man who can write and sing like that is no criminal. I am going to set you free."

During the next year Payne visited Europe where he sang himself into fame by incorporating that grand old song into one of his theatrical plays, but it is claimed that it was sung for the first time at Rattling Gourd's funeral down on the Cherokee Reservation in Georgia. Mrs. M. J. Ross, wife of William P. Ross and niece of Chief John Ross, testified just before her death in 1918, that she was present at the funeral in Georgia when Payne sang his world-famous song.

SCOTCH CHEROKEES

A local newspaper of thirty years ago gives the following account of the mixture of Scotch and Indian blood among the Cherokees:

"Cherokees come well by their stubbornness, their shrewdness and their love of controversy. As Indians they possessed these traits to some extent to begin with, and as the result of a strong infusion of Scotch blood they added to the strength of these characteristics. It is Scotch history that after the battle of Culloden many Scotchmen left their native land rather than accept English sovereignty. It is Cherokee history that numbers of these sturdy Scotchmen found homes and wives with the Cherokees before the enforced migration of the tribe from Georgia to Indian Territory.

"John Ross, the famous Cherokee chief, was one of the Scotch exiles who accepted Cherokee citizenship. He was given the Indian name of Cooweescoowee and when their Indian Territory Reservation was divided into districts one of them was named Cooweescoowee.

"The Adairs are another influential Cherokee family established by a Scotchman who emigrated after the battle of Culloden. McNair is another familiar Scotch name among the Cherokees. The McNair who came over after the battle of Culloden was a highlander. One of his descendants owns a fine farm in the valley of the Grand River, Cherokee Nation. Duncan is another Scotch name well known to Cherokees. The head and front of Cherokee opposition to American citizenship is a Duncan. He is Scotch in appearance and in his love of controversy."

THE BOUDINOT FAMILY

Elias Boudinot (whose Indian name was Galagina, meaning "turkey" or "young buck") was the head of a noted family of Cherokees. He was born in Georgia about the year 1800, and in 1818 he was sent to a foreign mission school at Cornwell, Conn. This school was founded by a philanthropist by the name of Elias Boudinot, a Philadelphian, who was the first president of the American Bible Society, was a member of the Continental Congress and a member of the first three congresses, after the adoption of the Federal constitution. Our young Indian boy was permitted to adopt his name while attending the Cornwell school. While a pupil in this school Elias married a white woman by the name of Harriet Gold. Upon completing his course of study he returned to the Cherokee country in Georgia and became the editor of the Cherokee Phoenix, a newspaper established by the Council of the Cherokee Nation. He followed his people to the Indian Territory and assisted Rev. Samuel A. Worcester at Park Hill in translating portions of the Bible into the Cherokee language. He took an active part in Cherokee politics, aligning himself with the Ridge party, in opposition to John Ross. He was murdered in his home on June 22, 1839, presumably by some Indians who opposed his activity in persuading them to give up their lands in Georgia for their new western homes.

Elias Cornelius Boudinot was a native of Georgia, born in 1835. He was a son of the original Elias Boudinot and inherited his father's characteristics of industry and perseverance. During his early boyhood he emigrated with his father to their new Indian Territory home, where he attended school and as he approached the years of manhood he adopted the profession of law. Following his father's political inclinations, he became identified with the Ridge party, and with that faction he chose the Confederate side during the Civil war, became a lieutenant colonel in the Southern army and served as a delegate in the Second and Third Confederate congresses.

JOHN JOLLY

John Jolly, a noted Cherokee, was born on the bank of the Hiwassee River in Tennessee about 1770. He took an active part

in tribal affairs and acquired a reputation for honesty and generosity. Sam Houston visited that vicinity soon after his father's death and in 1807, Jolly, having taken a fancy to the young lad from Virginia, adopted him as a member of his family and tribe. In 1818 Jolly removed to the West and became chief of that branch of Cherokees which located on the White River in Arkansas.

DENNIS W. BUSHYHEAD

Dennis W. Bushyhead was born in Tennessee, March 18, 1826. His father was Jim Bushyhead, a well-known Baptist missionary who was associated with Evan Jones, the noted missionary, in the translation of the Bible into the Cherokee language. Dennis attended school in Tennessee and North Carolina. In 1838 his father conducted a body of 1,000 Cherokees from Tennessee to their new home in Indian Territory, stopping at Beattie's Prairie and Dennis accompanied this expedition.

In 1839 he entered school at Park Hill and was sent to a college in New Jersey in 1840, where he remained for three years. During the next four years he conducted a store at Salina. In 1849 he was stricken with the California gold fever and made the long, tiresome trip to the Pacific Coast in an ox wagon. He returned to Indian Territory after the Civil war had ended, and in 1871 he was elected as chief of the Cherokee Nation and was reelected in 1883. He established a reputation as a financier and was instrumental in paying off a heavy debt which the Cherokee Nation had incurred. He took a prominent part in the early negotiations with the Dawes Commission, but died at his home in Tahlequah, on February 4, 1898, while those negotiations were pending.

SEQUOYAH

George Guess, whose Indian name was Sequoyah, was the inventor of the Cherokee alphabet. He was born in Tennessee in 1760, the son of a Scotchman and a half-blood Cherokee woman. He grew to manhood among the members of his tribe without having acquired much education and without having displayed any special talent along any line. He was fond of hunting and carried on some trading in furs. After attaining manhood he interested himself in making spurs, ear-rings, beads and other ornaments

and acquired some ability as a silversmith. At the age of thirty he was crippled for life while on a hunting trip, which compelled him to spend his remaining years in-doors. He then conceived the idea of constructing a Cherokee alphabet, and was doubtless encouraged in this undertaking by the fact that he could not read English. He would sit for hours at a time, drawing, erasing and re-drawing odd-looking characters upon a piece of slate stone. His friends feared he was going crazy and tried to draw his attention away from his favorite scheme, but he persisted until he was ready to announce that he had completed his peculiar alphabet. He had patiently devoted three years of his life to this task but still his friends were inclined to ridicule him, for it was not considered possible that a man who could not read any language could invent an alphabet that would be practicable. Not being able, for some time, to interest others in his scheme, he taught his alphabet to his young daughter. Finally, a Mr. Lowrey, who had married Sequoyah's sister decided that he would convince Sequoyah of the foolishness of his scheme. He dictated a letter and had Sequoyah to write it down in his crazy Cherokee alphabet. Lowrey then called Sequoyah's daughter into the room and asked her to read the letter. She took the letter from her father's hand and read it as unhesitatingly as if it had been printed in English, to the utter amazement of Lowrey, but to the manifest satisfaction of Sequoyah. This test interested Lowrey, who was a man of some means and education, but before fully endorsing the scheme he determined to further test it by learning it himself, and under Sequoyah's tutelage he mastered it within a week. Sequoyah's fate was thereby settled. Instead of being longer regarded by his acquaintances as a harmless, unlettered crank, he was soon to be proclaimed as one of the greatest benefactors of his race. Lowrey explained the new invention to the Cherokee Council, the new alphabet was cast into type, a printing press was purchased, and the first newspaper printed in the Cherokee language at New Echota, capital of the Cherokee Nation in Georgia, with Elias Boudinot as its editor. The new alphabet acquired immediate popularity, especially among the full-bloods who could not read English, and within less than a year the "Chu-la-kee Chu-la-he-sa-ne-hee," Cherokee Phoenix, was read by several thousand members of the tribe.

The alphabet originally contained eighty-six characters or

letters, but one of the letters was soon discarded, as it was found to be redundant. Instead of having each letter to represent an elementary sound as in English, each of Sequoyah's letters represents a Cherokee syllable, or complete impulse of the voice. By diligent application, it is claimed that any person of ordinary intelligence can master the alphabet within a week, and upon learning it, any one can read the Cherokee language. But of course, in order to read it understandingly, he must know the spoken language, or must know the meaning of the syllables represented by the eighty-five letters.

In 1822 Sequoyah visited the Cherokees, who had migrated to Arkansas, introduced his alphabet there and finally settled on an Arkansas farm. A few years later he was sent to Washington, D. C., as a delegate of the Cherokees, and in 1838 and 1839 he took an active part in looking after the welfare of the great body of Cherokees who were then forcibly migrating to their new homes in Indian Territory. During his old age he became interested in trying to locate a band of Cherokees which was reputed to have emigrated to Mexico many years before, and while in search of that band he met his death in August, 1843, near the Town of San Fernando in the State of Tamaulipas.

QUAPAW AGENCY

What is known as the Quapaw Agency is located in the extreme northeastern corner of the Indian Territory, consisting of about two hundred thousand acres of land which formerly belonged to the Cherokee Nation. Some years ago the Government decided to colonize numerous remnants of small tribes upon this reservation and a census taken in 1875 showed 236 Quapaws, 212 Peorias and Miamis, 142 Ottawas, 99 Eastern Shawnees, 239 Wyandottes, 207 Senecas and 147 Modocs located upon this tract.

In 1892 there were 217 Quapaws, owning 56,685 acres of land; 168 Peorias, owning 33,218 acres; 80 Miamis, owning 17,083 acres; 157 Ottawas, owning 14,860 acres; 80 Eastern Shawnees, owning 13,048 acres; 291 Wyandottes, owning 21,406 acres; 277 Senecas, owning 51,958 acres; and 57 Modocs, owning 4,040 acres.

Much of the land on these small reservations was of poor quality, the soil being too thin for agricultural purposes, but the largest field of lead and zinc in the Southwest has been developed in the

vicinity of the City of Miami and some of the Indians have acquired fortunes from the mineral royalties paid to them by operators of the mines.

STAND WATIE—WM. PENN ADAIR

Stand Watie was perhaps the most conspicuous Indian who took an active part in the Civil war. He was born in Georgia and came to the Indian Territory with the Western Cherokees. He was the son of Uweti and the brother of Elias Boudinot. The murder of Boudinot, which was charged to the John Ross party, made Watie a bitter enemy of Ross, and it is alleged that during the war, the home of Chief John Ross was burned by some of Watie's men, out of revenge for the murder of Boudinot.

Watie mounted his horse as soon as he heard of the death of his brother and galloped across the country, passing the rendezvous of a band of his enemies, but never stopping until he reached the scene of the murder, where he found the body of Boudinot lying upon his porch covered with a white sheet. A dozen Indians were assembled in the yard, but, not knowing whether they were friends or enemies, he rushed past them and lifted the sheet from his dead brother's head. He quickly saw that the murder had been committed by a blow upon the head with a tomahawk. After gazing upon Boudinot's lifeless form for a moment, Watie turned to the crowd and said: "I will give $10,000 to the man who will tell me who struck that blow." Then, remounting his horse, he rode away, not one of the bystanders daring to move or speak a word during his hasty visit. The scene was characteristic of Watie's influence over men.

At the breaking out of the Civil war, Watie was among the first to espouse the cause of the Southern Confederacy. He immediately organized a regiment of Cherokees and was engaged in many battles and skirmishes, his first important engagement being at the battle of Pea Ridge, Ark. Throughout the four years' war he kept busy, mostly in skirmishes and surprise attacks and made life miserable for those Cherokees who remained loyal to the Union.

Although he possessed no previous military training, yet he frequently demonstrated his efficiency as a leader and as a disciplinarian. He is said to have been the only full-blood Indian

upon whom was bestowed the rank of brigadier-general during the war.

Within the past year a beautiful monument has been erected to his memory on the old Cherokee Capitol Square, in Tahlequah, upon which is carved the following inscription:

"In honor of Gen. Stand Watie, only full-blood Indian brigadier-general in the Confederate army. This brave Cherokee, with his heroic regiment, rendered inestimable service to the Confederate cause of Indian Territory. Born in Georgia, December 12, 1806. Died in Cherokee Nation September 9, 1871. A tribute to his memory by Oklahoma Division, United Daughters of the Confederacy. 'Lest We Forget.'"

Within a few steps of Gen. Stand Watie's monument, upon the historic Cherokee Capitol Grounds, another marble monument erected in memory of Col. Wm. Penn Adair, attracts the attention of every visitor. Its inscription succinctly describes his war career as follows:

"Erected by Col. Wm. Penn Adair Chapter of the United Daughters of the Confederacy, December 12, 1913. Enlisted, 1861. Promoted to command of First Indian Brigade. Last ..... of Trans-Mississippi department to surrender. Died in Washington, D. C., 1880. Age, fifty."

JOE H. BENNETT

One of the singular cases of Cherokee citizenship was that of Joe H. Bennett, of Bartlesville. In 1876 the Cherokee Council passed a law which provided that any white man, upon marrying a Cherokee wife, might become a full-fledged citizen, entitled to all the rights of a Cherokee, by paying into the tribal treasury the sum of $500. This law was repealed, however, soon after its enactment and it is said that Mr. Bennett was the only white man who took advantage of it.

THE CHEROKEE ADVOCATE

The Cherokee Advocate was first published in 1844, at Park Hill, three miles south of Tahlequah, Wm. P. Ross being the founder and first editor. For many years it continued to be the National newspaper of the Cherokees.

It was edited and printed at the expense of the Nation, one-half in English and the other half in the Cherokee language. Its mission was the diffusion of important news among the Cherokee people, the advancement of their general interests and the defense of Indian rights. It was published weekly. Its editor was chosen by the Cherokee Council and nothing of an abusive, personal or of a partisan character was allowed to appear in its columns. Its subscription price was $1 per year, but subscribers who could read the Cherokee language only, were required to pay but 50 cents a year.

EX-CHIEF BUSHYHEAD (CHEROKEE)

Dennis Wolfe Bushyhead was born in Tennessee, March 18, 1826. He was the oldest son of Rev. Jesse Bushyhead, a well known Baptist minister, who was for years associated with Rev. Evan Jones in the translation of the Bible and other religious works. Mr. Bushyhead's mother was a Miss Eliza Wilkinson, a Georgian and half-breed Cherokee. He first attended school in 1833 at the Candy Creek Mission School in Tennessee. In 1835 he attended the Valley River School in North Carolina. His father, in 1838 conducted a detachment of Cherokees, numbering 1,000 souls, from the old nation to Beattie's Prairie in the Cherokee Nation and Dennis was among the number. In 1839 young Bushyhead attended school at Park Hill, I. T., and in the following year he was sent to College in New Jersey. He remained there three years, completing his education in 1844. His father died July 17, of the same year.

From 1844 to 1847, Mr. Bushyhead conducted a mercantile business near the Cherokee Orphan Asylum at Salina. In 1848 he was elected clerk of the Cherokee National Committee and in 1849 he crossed the plains in an ox wagon and was in California at the time of the discovery of gold. After spending eighteen years in the West he returned to Fort Gibson, I. T., soon after the Civil war in 1868, where he entered the mercantile business in 1871 and began to interest himself in politics. In the fall of that year he was elected treasurer of the Nation, a position he held for eight years. In 1879 Mr. Bushyhead was elected principal chief and was reelected in 1883. Let it be said to his credit he was one of the ablest financiers the Cherokees ever had. When he was elected

principal chief, the Nation was burdened with a national debt amounting to $187,000 and its paper was being sold at 25 cents on the dollar. At the expiration of Bushyhead's term of office the Nation was free from debt, and its paper money was at par.

Three or four times, Ex-Chief Bushyhead was chosen by the Cherokees to represent their interests before the Congress of the United States, a position he filled with credit to himself and succeeded in accomplishing a great deal for his people. In the year 1890, he was one of the three commissioners to negotiate a sale of Cherokee strip to the Government. Mr. Bushyhead was chairman of the commission appointed by the Cherokee Nation to treat with the Dawes Commission, a position he filled until the commission was abolished by the National Council in November, 1897. While a member of the commission he favored treating with the Government, believing that it was the only salvation for the Cherokee people.

Ex-Chief Bushyhead was perhaps the best known Cherokee at the time of his death. He was a statesman, a good citizen and a kind and affectionate father and husband. He died in Tahlequah at his residence on February 4, 1898, after an illness of but a few days.

ABOLITION OF SLAVERY BY CHEROKEES

Prior to 1861 many negroes had been held as slaves by Cherokees. The Civil war widened the breach which had existed for many years between the two factions of that nation. The slaveholding element was banded together under the names of "Blue Lodges" or "Knights of the Golden Circle," while those who favored the North were organized under the name of "Keetoowah" or "Pin" Indians—two crossed pins, worn on their jackets, being their emblem. The latter class were mostly full-bloods who had no use for slaves. The meetings of these two factions were held in secret places, and each member was bound by solemn oath and severe penalty, to keep secret the doings of his society. The treaty made by the leaders with the Southern Confederacy in the autumn of 1861 was revoked by the Cherokee Council at Cowskin Prairie on February 18, 1863, and the Council passed the following:

ACT OF EMANCIPATION

Be it enacted by the National Council: That all Negroes and other slaves within the lands of the Cherokee Nation be and they are hereby emancipated from slavery, and any person or persons who may have been in slavery are hereby declared to be forever free.

Be it further enacted that this act shall go into effect on the 25th day of June, 1863, and any person who, after that date shall offend against the provisions of this act, by enslaving or holding any person in slavery within the limits of the Cherokee Nation, he or she so offending shall, on conviction thereof before any courts of this Nation having jurisdiction of the case, forfeit and pay for each offense, a sum not less than $1,000, nor more than $5,000, in the discretion of the court.

Two-thirds of said fine shall be paid into the National treasury and one-third shall be paid, in equal sums, to the solicitor and sheriff of the district in which the offense shall have been committed.

And it is hereby made the duty of the solicitors of the several districts to see that this law is duly enforced.

But in case any solicitor shall neglect or fail to discharge his duties herein, and shall be convicted thereof, he shall be deposed from his office, and shall hereafter be ineligible to hold any office of trust or honor in this nation.

The acting Principal Chief is hereby required to give due notice of this act.

Be it further enacted that all laws and parts of laws conflicting with the provisions of this act are hereby repealed.

Cowskin Prairie, C. N., February 21, 1863.

J. B. Jones,
Clerk, National Council.
Concurred in Council,
Approved Feb. 21, 1863.
Lewis Downing,
President pro tem.
School Commissioner.
Thos. Pegg,
Acting Principal Chief.
George E. Foster.

ROYCE'S HISTORY OF THE CHEROKEES
A PEN PICTURE OF THE OLD-TIME INDIAN

The following interesting historical sketch of the Cherokees by Royce, the eminent historian, is equally applicable, with slight variations, to the Creek Indians:

"Their history has been an eventful one. For 200 years a contest involving their very existence as a people has been maintained against the unscrupulous rapacity of Anglo-Saxon civilization. By degrees they were driven from their ancestral domain to an inhospitable region. The country of their fathers was peculiarly dear to them. It embraced the head springs of many of the most important streams of the country. From the summit of their own Blue Ridge they could watch the tiny rivulets on either side of them, dashing and bounding over their rocky beds in their eagerness to join and swell the ever-increasing volume of waters rolling toward the Atlantic or the Gulf; the Tennessee and Cumberland; the Kanawha and Kentucky; the Pedee and Santee; the Savannah, Altamaha and Alabama, all found their beginnings within the Cherokee domain. The bracing and invigorating atmosphere of their mountains was wafted to the valleys and lowlands of their more distant borders, tempering the heat and destroying the malaria. Much of their country was a succession of grand mountains clothed with dense forests; of beautiful but narrow valleys and extensive, well-watered plains. Every nook and corner of this vast territory was endeared to them by some incident of hunter, warrior or domestic life. Over these hills and through the recesses of the dark forests, the Cherokee hunter had from time immemorial, pursued the deer, elk and buffalo; through and over them he had passed on his long and vengeful journeys against the hated Iroquois and Shawnees. The blood of his ancestors as well as his enemies could be trailed from the Hiwassee to the Ohio. The trophies of his skill and valor adorned the sides of wigwam and furnished the theme for his boastful oratory and song around the council fire and at the dance. His wants were few and purely of a physical nature. His life was devoted to the work of securing a sufficiency of food and the punishment of his enemies. His reputation among his fellowmen was proportioned to the skill with which he could draw the bow, his cleverness and

agility in their simple athletic sports, or the keen and tireless manner that characterized his pursuit of the enemy's trail. His life was simple, his wants easily supplied; and in consequence the largest measure of his existence was spent in indolence and frivolous amusements. Such proportion of the family food as the chase did not supply was found in the cultivation of Indian corn. The pride of a warrior scorned the performance of manual labor and to the squaw was this drudgery as well as that of the household assigned. His general character has been much misunderstood and much misrepresented. He was in fact possessed of great ingenuity, keen wit and rare cunning. In the consideration of matters of public importance his conduct was characterized by a grave dignity that was frequently almost ludicrous. The studied stolidity of his countenance gave the spectator no clue to the inward bent of his feelings or determination. The anxious prisoner, from a watchful study of his face and actions could read nothing of his probable fate. He was physically brave and would without hesitancy attack the most dangerous beasts of the forest, or his still more ferocious human enemies.

"In the hands of these enemies he would endure, with the most unflinching nerve, the cruelest tortures their ingenuity could devise, and at the same time chant his death song in the recital of his numerous personal acts of triumph over them. His methods of warfare were, however, different from those which meet the approval of civilized nations. He could not understand that there was anything of merit in meeting his antagonist in the open field where the chances of victory were nearly equal. It was a useless risk of his life, even though his numbers exceeded those of his enemy, to allow them to become advised of his approach. His movements were stealthy and his blows fell at an unexpected moment from the hidden ambush or in the dead hours of the night. His nature was cruel and in the excitement of battle that cruelty was clothed in the most terrible form. He was in the highest degree vindictive and his memory never lost sight of a personal injury. He was inclined to be credulous until once deceived, after which nothing could remove his jealous distrust. His confidence once fully secured, however, the unselfishness of his friendship, as a rule, would put to shame that of his more civilized Anglo-Saxon brother. His scrupulous honor in the payment of a just debt was of a character not always emulated by commercial na-

tions. His noble qualities have not been granted the general recognition they deserve and his ignoble traits have oftentimes been glossed over with the varnish of an unhealthy sentimentality.

"For many years following his first contact with the whites, the daily life of the Cherokee underwent but little change. The remoteness of his villages from the coast settlements and the intervening territory of other tribes limited, in large degree, any frequency of association with his white neighbors. In spite of this restricted intercourse, however, the superior comforts and luxuries of civilization were early apparent to him. His new-found desires met with a ready supply through the enterprising cupidity of the fur traders. At the same time and through the same means he was brought to a knowledge of the uses and comforts of calico and blankets, and the devastating, though seductive, influence of spirituous liquors. Yet nothing occurred to mar the peace hitherto existing with his white neighbors until their continued spread and seemingly insatiate demand for more territory aroused a feeling of jealous fear in his bosom. This awakening to the perils of his situation was, unfortunately for him, too late. The strength of the invaders already surpassed his own, and henceforth it was but a struggle against fate. Prior to the close of the Revolutionary war but little, if anything, had been done toward encouraging the Cherokee to adopt the customs and pursuits of civilized life. His native forests and streams had afforded him a sufficiency of flesh, fish and skins to supply all of his reasonable wants. Immediately upon the establishment of American Independence, the policy to be pursued by the Government in its relations with the Indian tribes became the subject of grave consideration. The necessity began to be apparent of teaching the proximate tribes to cultivate the soil as a substitute for the livelihood hitherto gained through the now rapidly diminishing supplies of game.

"In the report of the commissioners appointed to negotiate the Treaty of 1785, being the first treaty concluded between the Cherokees and the United States, they remark that some compensation should be made to the Indians for certain of their lands unlawfully taken possession of by the whites, and that the sum so raised should be appropriated to the purpose of teaching them useful branches of mechanics. Furthermore, that some of their women had lately learned to spin, and many others are very de-

sirous that some method should be fallen on to teach them to raise flax, cotton and wool, as well as to spin and weave it.

"Six years later, in the conclusion of the second treaty with them, it was agreed in order 'that the Cherokee Nation may be led to a greater degree of civilization, and to become herders and cultivators instead of remaining in a state of hunters, the United States will, from time to time, furnish gratuitously, the said Cherokee Nation, with useful implements of husbandry.' From this time forward, the progress of the Cherokees in civilization and enlightenment was rapid and continuous. They had made such advancement that thirty years later R. J. Meigs, their long-time agent and friend, represented to the Secretary of War, that such Government assistance was no longer necessary or desirable; that the Cherokees were perfectly competent to take care of themselves and that further contributions to their support only had a tendency to encourage idleness and dependence upon the Government. Their country was especially adapted to stock-raising and their flocks and herds increased in proportion to the zeal and industry of their owners. The proceeds of their surplus cotton placed within reach most of the comforts and many of the luxuries of life. The unselfish devotion of the missionary societies had furnished them with religious and school instruction, of which they had in large numbers availed themselves. From the crude tribal government of the Eighteenth century they had gradually progressed until in the month of July, 1827, a convention of duly elected delegates from the eight several districts into which their country was divided (Chickamauga, Chatooga, Coosawatee, Amohee, Hickory Log, Etowah, Taguoe and Aquohee) assembled at New Echota and announced that 'We * * * do ordain and establish this constitution for the government of the Cherokee Nation, &c.'

"Under this constitution elections were regularly held and the functions of the government administered until the year 1830, when the hostile Legislature of Georgia practically paralyzed and suspended further operation. Although forbidden (by the State of Georgia) to hold any more elections, the Cherokees maintained a semblance of their republican form of government by tacitly permitting their last elected officers to hold over, and by recognizing the authority and validity of their official actions.

"This embarrassing condition of affairs continued until their removal west of the Mississippi River, when, on September 6,

1839, they, in conjunction with the 'Old Settlers,' adopted a new constitution, which, in substance, was a duplicate of its predecessor.

"This removal turned the Cherokees back in the calendar of progress at least a quarter of a century. The hardships and exposure of the journey, coupled with the fevers and malaria of a radically different climate, cost the lives of perhaps 10 per cent of their total population. The animosities of turbulence born of the Treaty of 1835, not only occasioned the loss of many lives, but rendered property insecure, and in consequence, diminished the zeal and industry of the entire community in its accumulation.

"A brief period of quiet, however, was again characterized by an advance toward a higher civilization. Five years after their removal we find from the report of their agent, that their homes, farms and fixtures have greatly improved in the comforts of life; that in general they are living in double cabins and evincing an increasing disposition to provide for the future; that they have in operation eleven schools, superintended by a native Cherokee, in which are taught reading, writing, arithmetic, bookkeeping, grammar, geography and history, which are entirely supported at the expense of their own national funds; that the churches are largely attended, liberally supported; that they maintain a printing press, from which publications are issued in both the English and Cherokee tongues; that some of them manifest a decided taste for literature and have a few well-selected libraries; that thousands of them can speak and write the English language with fluency and comparative accuracy; that hundreds can draw up contracts, deeds and other instruments of writing for the transfer of property; and that in the ordinary transactions of life, especially in making bargains, they are shrewd and intelligent, frequently evincing a remarkable degree of craft and combination; that their treatment of their women had undergone a radical change, and that instead of regarding a woman as a slave and a beast of burden, she was now recognized as a friend and companion. But the events of the Civil war brought to them more of desolation and ruin than perhaps to any other community.

"Raided and sacked alternately not only by the Confederate and Union forces, but by the vindictive ferocity and hate of their own factional divisions, their country became a blackened and desolate waste. Driven from comfortable homes, exposed to want,

misery and the elements, they perished like sheep in a snow storm."

THE KEETOOWAH SOCIETY

Recent newspaper stories concerning the activity of the Keetoowahs have revived an interest in that branch of the Cherokee tribe which was supposed to become defunct at the time of the dissolution of the Cherokee Nation.

The Keetoowah Society is a secret organization composed almost entirely of full-blood Cherokees which originated back in Georgia many years before the Five Tribes emigrated to Indian Territory. It has had its signs, secrets, passwords and initiatory ceremony known only to its members, did not court acquaintance with strangers, but sought to preserve and perpetuate its own ideals, customs and mode of living.

About twenty years after the Cherokees came to Indian Territory, John B. Jones, the Baptist missionary, encouraged the organization of Keetoowah societies and advised all full-bloods to become members. At the outbreak of the Civil war they were opposed to violating their treaty obligations by joining the Southern Confederacy and the Confederates attributed their loyalty to the Government, to the influence which Jones exercised over them. They wore a small badge or pin upon their coats as an emblem of their society and the outsiders nicknamed them "Pin Indians." About three thousand of them joined the Union army and fought valiantly for the Union.

Prior to the Civil war very few of the full-bloods were slaveholders, and to this fact is attributed by some persons their opposition to the institution of slavery. Be that as it may, they deserve more credit than they have received, for their refusal to violate their treaty obligations by taking up arms against the Government. Since coming to this Territory, the majority of them have made their homes in the Cherokee hills, and at this time they are in search of a new location, where they can live to themselves and retain in some degree their old-time customs and habits. The following article from the Muskogee Times-Democrat gives some information concerning present aims of the Keetoowahs:

"September 21, 1921.—Under the banner of the Keetoowah Society, presented to the Keetoowah warriors in 1866 by the United States Government, members of this order met at Hulbert

yesterday to celebrate the only event in the history of the Cherokee Nation that might be called their 'Fourth of July.' On September 20, 1905, the United States Government granted to this Cherokee political body, a certificate of incorporation to represent the interests and rights of the nation in dealings with the United States, the old tribal government having been ordered dissolved the following year.

"Today there are other societies in the Cherokee Nation, but this is the one appointed through articles of incorporation to represent the Cherokees. Here is the resolution in their certificate giving them this privilege:

" 'Whereas, the Keetoowah Society has existed as a patriotic organization from time immemorial and it is important that some steps shall be taken at this time to provide a means for the protection of the rights and interests of the Cherokee people in their lands and funds, and to close up all business relations with the United States Government, including claims for the failure of said Government to fully perform all its treaty obligations with the Cherokees, this constitution is adopted.'

"The meeting yesterday at Hulbert opened with song and prayer in the Cherokee language. After the opening ceremony there were speeches by leaders in the nation, mostly in Cherokee. Price Cochran, president of the society, and Bill Mankiller, vice president, spoke in Cherokee while Levi Gritts, chief of the Cherokees, and Frank J. Boudinot, their legal representative, spoke in Cherokee and English on the traditions and purposes of Keetoowah Incorporated.

"After the closing prayer and songs in the native language, the four or five hundred representatives present gathered in a great circle for the final ceremonial farewell which is a progressive shaking of hands around the entire circle.

"To learn the history of this organization which is now the leading voice of this nation of Indians, it is necessary to go back to a meeting held in the dead of night in the woods, April 15, 1858, in which a small number of men of the nation met to discuss serious questions affecting the tribe. One of their number, Bud Gritts, was appointed their leader and his statement of events at that time constitutes a part of the present document of incorporation. It was written in Cherokee and preserved.

"At that time the trouble between the North and South hung

heavy over the land, and many of the Cherokee warriors were joining the forces of the South, according to Bud Gritts' statement. Missionaries from the North were unpopular and finally were banished. Gritts and his little band got control of the situation and the following year his report was adopted by the people. Thus the society was born.

"It continued to be a political power behind the government of the Cherokee Nation as long as the government lasted. Finally when their government was abolished by an act of Congress, the society forgot its political activities and the present constitution approved by the Federal Government provides that 'This society shall be to establish and promote a tie of friendship and provide for the mutual protection of its members in their personal liberties and in their common, as well as individual, property interests and rights, to promote among its members and the peoples with whom they associate, habits of sobriety and industry, to establish schools and colleges for the education of its members in the useful sciences and arts, in agricultural pursuits and mechanical trades, to promote literature, education, science, art, and bodily and mental health among its members."

COMPACT BETWEEN THE CHEROKEE, CREEK AND OSAGE TRIBES OF INDIANS

In order to settle the differences and put an end to the bitter feeling which had existed for many years between the various tribes, the Cherokees, Creeks and Osages sent delegates to a convention at Tahlequah, on the third day of July, 1843, with authority to enter into a treaty of peace between the three tribes. They agreed upon the following treaty which breathes a spirit of amity which might serve as a model for certain nations claiming a more advanced degree of civilization:

"Section 1. The removal of the Indian tribes from the homes of their fathers, east of the Mississippi, has there extinguished our ancient council fires, and changed our position in regard to each other: And, Whereas, by the solemn pledge of treaties, we are assured by the Government of the United States that the lands we now possess shall be the undisturbed home of ourselves and our posterity forever: Therefore, we, the authorized representatives of the several parties hereunto assembled, around the great

council fire kindled in the West at Tahlequah, in order to preserve the relations between our several communities to secure to all their respective rights and to promote the general welfare, do enter into the following compact:

"Section 2. Peace and friendship shall forever be maintained between the nations, parties to this compact, and between their respective citizens.

"Section 3. Revenge shall not be cherished, nor retaliation practiced, for offenses committed by individuals.

"Section 4. To provide for the improvement of our people in agriculture, manufactures, and other domestic arts, adapted to promote the comfort and happiness of our women and children, a fixed and permanent location on our lands is an indispensable condition. In order, therefore, to secure these important objects, to prevent any future removal, and to transmit to our posterity an unimpaired title to the lands guaranteed to our respective nations by the United States, we hereby solemnly pledge ourselves to each other that no nation, party to this compact, shall, without the consent of all the other parties, cede or in any manner alienate, to the United States, any part of their present Territory.

"Section 5. If a citizen of this nation commits willful murder, or other crime within the limits of another nation, party hereto, he shall be subject to the same treatment as if he were a citizen of that nation.

"Section 6. In cases of property taken or stolen by force or fraud, the property if found, shall be restored to the owner; but if not found, the convicted shall pay the full value thereof.

"Section 7. If a citizen of any nation, party to this compact, shall commit murder or other crime, and flee from justice into the territory of any other nation party hereto, such criminal shall, on demand of the principal chief of the nation from which he fled (accompanied with reasonable proof of his guilt), be delivered up to the authorities of the nation having jurisdiction of the crime.

"Section 8. We hereby further agree that if any of our respective citizens shall commit murder or other crime, upon the person of any other citizen, in any place beyond the limits of our several territories, the person so offending shall be subject to the same treatment as if the offense had been committed within the limits of his own nation.

"Section 9. Any citizen of one nation may be admitted to

citizenship in any other nation party hereto, by consent of the proper authorities of such nation.

"Section 10. The use of ardent spirits being a fruitful source of crime and misfortune, we recommend its suppression within our respective limits and agree that no citizen of one nation shall introduce it into the territory of any other nation party to this compact.

"Done in general council around the great council fire at Tahlequah, Cherokee Nation, this 3d day of July, 1843.

"Representatives of the Cherokees:

"Hair Conrad, his X mark.
"Samual Downing, his X mark.
"Turtle Fields, his X mark.
"Stop, his X mark.
"Thomas Foreman.
"J. Vann.
"Archibald Campbell, his X mark.
"Michael Waters.
"John Looney, his X mark.
"Tobacco Will, his X mark.
"Thomas Woodard, his X mark.
"George Lowrey.
"Dutch, his X mark.
"Charles Coodey.

"Representatives of the Creeks:

"Tusta-nug-gee Mathla, his X mark.
"In-ther-nis Harjo, his X mark.
"Ho-ler-termicco, his X mark.
"Ufalar Harjo, his X mark.
"Chilly McIntosh.
"Oak-ceen Harjo, his X mark.
"Ho-tul-ca Harjo, his X mark.

"Representatives of the Osages:

"Alexander Chouteau, Osage interpreter.
"Shin-ka-wa-sah, or Bel-bazo, his X mark.
"Black Dog, his X mark.
"Gron San-tah, his X mark.
"Gra-tam-e-sah, his X mark.

"Be it known that the National Council of the Cherokee Nation in annual council convened have this day approved and confirmed the within articles of a compact, entered into the day and date therein named, by the authorized representatives of the nations, parties thereunto.

"Done in National Council at Tahlequah, Cherokee Nation, this second day of November, A. D. 1843.

"Charles Coodey,
"President National Committee.
"James M. Payne,
"Speaker National Council.
"Jno. Ross."

C. J. HARRIS, EX-CHIEF, CHEROKEE NATION

C. J. Harris, or Col. Johnson Harris, as he was sometimes called, was born in the Cherokee Nation on April 19, 1856, his father, William Harris, being a white man and his mother, a Cherokee by blood. He attended the Male Seminary at Tahlequah and taught school for a while. In 1881 he was elected to the Cherokee Senate and during the following ten years he held numerous positions of responsibility in Cherokee affairs. When Chief Joel Mayes died in December, 1891, Colonel Harris was elected to succeed him, by the Cherokee Council. He was a wise counselor, well fitted for the offices which he held, and always manifested a lively interest in the welfare of his people. After retiring from office, he resided in Tahlequah for some time, but later moved to Adair, in Mayes County. He died quite recently at the home of Mrs. Townsend, his niece, in Muskogee, and was buried in the Tahlequah Cemetery.

DELAWARE INDIANS

The Delaware Indians are the remnant of a once powerful tribe which inhabited portions of Delaware, New Jersey and Pennsylvania, which numbered about fifty thousand people. They disposed of a portion of their possessions to the Dutch as early as 1616, and later traded their lands to the Swedes and to William Penn. It is said that the treaty which they made with Penn under the Old Elm Tree was not sworn to and was never broken. By the terms of a treaty made in 1789, they acquired lands in Ohio, in the region of the Upper Sandusky River. From there they occasionally wandered down on the Cherokee reservation, farther south, in search of game, much to the discomfort of the Cherokees who made war against them. Later, however, they made peace with the Cherokees and were permitted to continue their hunting expeditions for some time thereafter. In 1772 they got into some trouble with the Colonial Government and engaged in several battles with a regiment of soldiers under the command of Colonel Crawford, who was killed in their last battle. In 1812 the Delawares emigrated to Indiana and joined the Shawnees in the noted battle of Tippecanoe. In 1818 they surrendered their possessions east of the Mississippi River and settled in Missouri, on White

River, near the present site of Springfield. There they soon formed a union with the Tehee band of Cherokees and made war on the Osages, who then occupied the northeastern part of Indian Territory. In 1829 the Delawares became dissatisfied with their Missouri environments, but could not agree among themselves as to where to migrate. They disposed of their possessions, however, some of them settling in Kansas and others going to the western part of the Indian Territory. The band remaining in Kansas soon got into trouble with the Comanches, Sioux and Pawnees, who were then located in Kansas, and after a war which lasted two years their numbers were greatly reduced. In 1866 they sold their lands in Kansas and joined the Cherokees in the eastern part of Indian Territory and were finally adopted as members of the Cherokee tribe.

FRAUDULENT ENROLLMENTS

In 1897, Chief Samuel H. Mayes was deeply interested in perfecting a correct roll of all persons who were legally entitled to rights as Cherokee citizens, and in a special message to his council, on July 26 of that year, he urged that immediate steps be taken to enroll all legally qualified Cherokees, and to guard against fraudulent attempts to enroll those not qualified. In those days it was considered quite the proper thing to get one's name on the Indian roll for each person regularly enrolled would be entitled to share in the lands and funds of the tribe. Hundreds of white settlers applied for enrollment, claiming that sometime or somewhere in the remote past, their ancestors possessed traces of Indian blood in their veins. Vigilant effort on the part of the Indian officials and the Dawes Commission was required to reject these fraudulent applications.

CHAPTER XIV

IMPORTANT EVENTS OF INDIAN TERRITORY HISTORY

TREATY CONVENTION OF 1865—INTRUDERS: WHITE MEN COVET THE INDIANS' LAND—ARE OUR INDIANS INCREASING OR DECREASING IN NUMBERS?—NO MORE INDIAN TREATIES—INTERNATIONAL COUNCIL OF FIVE TRIBES—FIRST TERRITORIAL CONVENTION—THE SEQUOYAH CONVENTION—THE NEGROES—A TOUR ON THE PRAIRIES.

TREATY CONVENTION OF 1865

During the summer of 1865 President Andrew Johnson appointed a commission to negotiate treaties with the Five Civilized Tribes and other tribes of the Southwest which had seceded or aided the Confederate cause during the war.

This commission, consisting of D. N. Cooley, commissioner of Indian Affairs; Elijah Sells, superintendent of Southern Indian Affairs; Thomas Wistar, a prominent Quaker; Brig.-Gen. W. S. Harney, and Col. Ely S. Parker of Gen. U. S. Grant's staff, met at Fort Smith, Ark., on September 8 and continued in session for thirteen days. Delegates from twelve different Indian tribes met the commission and were told that while they had forfeited all their rights under their former treaties with the Government, by joining the Southern Confederacy, yet the Government was inclined to treat them fairly if they were ready to renew their allegiance to the United States.

On the second day of the convention the commission laid before the representatives of the various Indian tribes the following propositions to which they were requested to subscribe:

First. That each tribe must enter into a treaty for permanent peace and amity among themselves, each other as tribes, and with the United States.

Second. The tribes settled in the Indian country to bind them-

selves, at the call of the United States authorities, to assist in compelling the wild tribes of the plains to keep the peace.

Third. Slavery to be abolished, and measures to be taken to incorporate the slaves into the tribes, with their rights guaranteed.

Fourth. A general stipulation as to the final abolishment of slavery.

Fifth. A part of the Indian country to be set apart to be purchased for the use of such Indians, from Kansas and elsewhere, as the Government may desire to colonize therein.

Sixth. That the policy of the Government to unite all the Indian tribes of this region into one consolidated government should be accepted.

Seventh. That no white person, except Government employes or officers or employes of internal improvement companies authorized by the Government, will be permitted to reside in the country, unless incorporated with the several nations.

The next ten days were devoted to conferences among the various delegations and in presenting the views of the several tribes upon the propositions offered for their consideration. Some were apparently willing to sign almost any agreement in order to be restored to the good graces of the Government, while others were more obstinate. The Cherokees presented the plea that the United States Government was responsible for their secession because it had violated its treaty obligations to them by failing to furnish them protection at the beginning of the war, but the commission claimed that their chief, John Ross, had shown a willingness to join the Southern Confederacy by agreeing to a Confederate treaty during the first year of the war. The Cherokee delegates argued further that they were not empowered to sign a treaty and that the matter would have to be referred back to their National Council.

The delegation of loyal Creeks claimed that their chief had signed a treaty with the Confederates without the consent of their council.

Bitter disputes arose between the so-called "loyal" and "disloyal" factions of various tribes, the former manifesting a desire to prevent the latter from coming back and sharing in the tribal lands and funds. The Cherokees seemed to be among the most reluctant to signing any agreement. During the discussions it was shown that when the Cherokees had renounced their Con-

federate treaty in 1863, their National Council, under the direction of Chief John Ross, declared that the property of all Cherokees who were still supporting the Confederacy should be confiscated, thus depriving about six thousand of their people of their homes and tribal rights. This was an outgrowth of that feud of long-standing between the Ross faction and the Ridge faction, which had existed ever since the promulgation of the Treaty of 1835. In the convention at Fort Smith, Col. Lewis Downing, assistant chief, and H. D. Reese, were the spokesmen for the Ross party, while E. C. Boudinot led the Ridge or Southern Cherokees.

After several days of parleying, the various delegations signed an agreement by which, after specifying numerous whereases, provided that the various tribes should acknowledge themselves to be under the protection and control of the United States; that they would not enter into an alliance with any other power and that the treaties made with the Southern Confederacy were to be revoked. The commissioners agreed that the United States should re-establish peace with all the Indian tribes and would afford protection to the property and persons of the respective tribes.

In 1872 serious trouble arose over a conflict of authority between the tribal officials and the deputy marshals of the United States Court of the Western District of Arkansas.

Article XIII of the Cherokee Treaty of 1866 provided that the Cherokee courts should retain exclusive jurisdiction over all civil and criminal cases arising within the limits of their territory, in which the parties to suits were members of their tribe, but in some cases the United States marshals were inclined to override that law. One case is cited, as follows, which caused much trouble and acrimony between the tribal and Federal officials: One Ezekiel Proctor was on trial in the Cherokee court, charged with the murder of Polly Chesterson, a Cherokee woman. During the progress of the trial some United States deputy marshals from Fort Smith appeared in the court room with a warrant for the arrest of Proctor, charging him with an attempt to murder the husband of Polly Chesterson, who was a white man. The Cherokee court refused to abandon their trial of Proctor and a riot occurred in the court room, in which Deputy Marshal J. G. Owens and his aides, James Ward, Riley Wood, Samuel Beck, George Selvage, William Hicks, Black Sut Beck and William Beck were

killed. Moses Alberty, attorney for the prisoner; Johnson Proctor, brother of the prisoner, and Andrew Palone were also killed. Judge Sixkiller, the presiding judge; Proctor, the prisoner; Ellis Foreman, a juror; Joseph Churver, deputy sheriff; Isaac Vann, John Proctor, White Sut Beck, Paul Jones and George McLaughlin, were severely wounded.

It may readily be inferred that such occurrences were not inclined to cement the bond of union between the two races.

INTRUDERS: WHITE MEN COVET THE INDIANS' LAND

After peace and order had been restored, following the Civil war, many white intruders began settling on the lands of the Creeks and Cherokees without authority from the Indians or from the Federal Government.

The entrance of the M., K. & T. Railroad into the Territory was the signal for a greater influx of white people. Some were employes of the railroad, some were town-site speculators, some were gamblers and others squatted on Indian lands and began to raise crops, hoping that sooner or later the Government would, in some manner, permit them to acquire title to the land of which they had taken unlawful possession. These intruders were notified by the Indian agents to leave the country but no attention was given to the notice. They became so bold, obstinate and numerous that in the early part of the year 1872 a company of Federal soldiers was sent out from Fort Gibson, to compel them, to the number of 1,500, to leave the Territory.

The term "intruders" was applied to that class of persons who located upon Indian reservations without legal right. Almost from time immemorial, various tribes have had a system of licensing traders, by which, upon payment to the tribe of a certain amount of money, outsiders or "non-citizens," as they were designated, were permitted to locate and transact business upon the reservation. Indians who desired to employ non-citizens, either as farmhands or mechanics, were required to pay a nominal fee per month or year for each person so employed.

But after the Civil war had ended, and more especially as the M., K. & T. Railroad entered the Territory, the scramble of outsiders for a foothold in the Territory increased very rapidly and caused much annoyance and dissatisfaction among the Indians.

Many of these intruders made pretended claims to the possession of Indian blood, filed their claims for citizenship, and while their applications were pending, took possession of valuable tracts of land and cultivated them free of rent.

Many others settled on land and proceeded to develop homes, hoping that Congress, sooner or later, would in some manner, throw the land open to settlement by whites, under the Homestead Act.

Many others came, too, of whom it was said that it was not safe to ask whence they came, why they came, or what their previous occupations had been.

A conflict of authority arose between the tribal authorities and the Federal agents as to the status of that class who were claiming possession of Indian blood and the Federal agents issued certificates to them which entitled them to remain in possession of the lands which they occupied, pending a final decision upon their claims to Indian citizenship. The tribal authorities, however, claimed exclusive jurisdiction in such matters and their treaty provisions sustained them in that contention.

By the agreement entered into between the United States and the Cherokee Nation on December 19, 1891, the dispute was settled, as follows:

"That all persons now resident, or who may hereafter become residents, in the Cherokee Nation, and who are not recognized as citizens of the Cherokee Nation by the constituted authorities thereof, and who are not in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation in conformity with the laws thereof, or in the employment of the United States Government, and all citizens of the United States who are not resident in the Cherokee Nation under the provisions of treaty or acts of Congress, shall be deemed and held to be intruders and unauthorized persons within the intent and meaning of Article VI of the Treaty of 1835, and Articles XXVI and XXVII of the Treaty of July 19, 1866, and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States, as trespassers, upon the demand of the principal chief of the Cherokee Nation."

This provision in reality imposed no new obligation upon the Government, inasmuch as practically the same pledge was contained in various former treaties extending as far back as that of

1835, but the intruders had become so numerous and defiant that it now became necessary to take vigorous action in order to prevent bloodshed between the two races.

Hundreds of them were forcibly removed from the Territory by the Indian police, but would soon return, settling perhaps in a new neighborhood. It is estimated that between 1880 and 1890 there were no less than 5000 of these unlawful settlers holding possession of land in the Creek and Cherokee Nations.

Very many of them were forced to vacate, while many others, with pretended claims to citizenship were paid a fair price for the improvements which they had placed upon the land in their possession and allowed to leave the country.

One of the most notorious "boomers" of this class was Captain Payne of Oklahoma, who after repeated attempts to unlawfully settle a colony on Indian lands, was removed from the Territory by a company of Federal soldiers and upon his return, was arrested, July 15, 1880 and taken to Fort Smith, where he was convicted and a judgment in the sum of $1,000 rendered against him, but never collected. In 1883 accompanied by 800 adventurous "boomers," he settled on the "Cherokee Strip," adjoining the State of Kansas, and built a town called Rock Falls. He and his followers were driven into Kansas by the military forces and their town was destroyed by fire. If the military forces of the Government had displayed a greater degree of energy along this line at an earlier date, much of this trouble might have been prevented, but their laxity in enforcing the law, lent encouragement to the prospective white settler.

ARE OUR INDIANS INCREASING OR DECREASING IN NUMBERS?

This question has been the subject of much speculation for many years past, but definite information has been impossible to secure for the reason that during the first hundred years of our National existence, the census reports of Indian population have been mere estimates or guesses. Since 1789 the numerous estimates of the total Indian population of the United States have varied from 76,000 to 471,000. In 1877 Hon. John Eaton, U. S. Commissioner of Education made a somewhat comprehensive report upon this subject, in which he gives the following information concerning the Cherokees:

"James Adair, who lived forty years among the Southern Indians, estimated the number of Cherokees in 1722 at 6,000 warriors, or 30,000 souls; and forty years later at 2,300 warriors, or 11,500 souls.

"Another authority (Stevens' History of Georgia) estimates the same tribe in 1774 at 3,000 gun men, or 15,000 souls. Drake, the Indian historian, evidently following Adair, estimates the number of Cherokee warriors in 1721 at 6,000, or 30,000 souls; and states that, in 1738, the small-pox having been introduced among them by the slave-dealers, one-half of the population was swept away by it. In his 'Notes On Virginia,' Mr. Jefferson estimates the number of Cherokee warriors in 1768 at 3,000, or 15,000 souls. Another author, (Imlay,) estimated them, in a work written in 1790-91, at 2,500 warriors, or 12,500 souls, an estimate probably based on the authority of Dodge, 1779. In 1809, according to an actual enumeration made by the United States agent, there were in the Cherokee country 12,395 Cherokees, about one-half of whom were mixed-bloods, 583 negro slaves and 341 white persons. Drake, above quoted, in another work written during the Florida war (1835-42) says of the Cherokees: 'In 1819 there were about 10,000 inhabitants and in 1825 they had increased to 13,563, all natives.' While Gallatin, writing at about the same time (1836) estimates their number, on the authority of the Indian Department, at about 15,000. The number of like estimates of the Cherokee population might be increased indefinitely, but enough has been quoted to serve the present purpose.

"A study of these several estimates reveals discrepancies that it seems impossible to reconcile, but it is true that year by year more exact information regarding the real numbers of the Cherokees is being obtained, and taking the enumeration of 1809 as a starting point, it is likewise true that notwithstanding the depressing influences of removal, and the destruction of life attending the Civil war, which swept over their territory, the Cherokees have substantially increased in numbers. According to the Indian Office report for 1876 they numbered 18,672 in Indian Territory and 2,400 Eastern Cherokees in North Carolina, Georgia, South Carolina and Tennessee." It is also estimated that from 4,000 to 4,500 Cherokees died during their enforced removal from the East to Indian Territory. Commissioner Eaton's report does not include any estimate of the population of the Creek Nation.

The report of the Superintendent of the Five Civilized Tribes for the year ending June 30, 1919 gives the present population as finally determined by the Dawes Commission, as follows:

Cherokees: Full bloods, 8,703; three-fourths blood or more 1,803; one-half to three-fourths blood, 2,975; less than one-half bloods, including intermarried whites, 23,424, making a total of 36,905 besides 4,919 freedmen.

Creeks: Full-bloods, 6,858; three-fourths blood or more, 541; one-half to three-fourths blood, 1,157; less than one-half bloods including intermarried whites, 3,396, making a total of 11,752, besides 6,809 freedmen.

A careful study of the Indian census reports of the past fifty years justifies the conclusion that the real Indians (full-bloods) are decreasing in numbers but the number of persons of partial or mixed-blood is gradually increasing.

NO MORE INDIAN TREATIES

After having spent a hundred years in soliciting and concluding innumerable Indian treaties, Congress passed an act on March 5, 1871 declaring:

"That hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent tribe, or power, with whom the United States may contract by treaty: *Provided further,* that nothing herein contained shall be construed to invalidate or impair the obligation of any treaty heretofore lawfully made and ratified with any such Indian nation or tribe."

Since the passage of the foregoing act of Congress, the compacts entered into with the various Indian tribes have been denominated "Agreements" instead of treaties. Hon. T. J. Morgan, then commissioner of Indian affairs explained that the apparent reasons for this action were to bring under the immediate control of Congress our diplomatic as well as commercial intercourse with those tribes, and to simplify and expedite such diplomatic negotiations as might, from time to time, be found necessary, in order that the guardianship of their rights, which, by the exigencies of the situation, had devolved upon the United States, might be most effectively and equitably discharged.

Prior to the passage of this act the various Indian tribes had

been treated as separate, independent communities, but henceforth the relationship of guardian and ward is to be more decidedly emphasized.

INTERNATIONAL COUNCIL OF FIVE TRIBES

While the International Council of the Five Tribes held various conventions and had received the endorsement of the Federal Government, yet it failed to accomplish any important results, mainly for the reason that each tribe feared that in enacting legislation for the common good of all, it might forfeit some of its tribal rights and privileges.

At their convention held in South McAlester, however, on the 11th day of November, 1896, the tribal delegates manifested a much more friendly disposition toward treating with the Government than had been developed at any of their previous conventions. By this time they seemed to realize that the Federal Government would surely take some action, at an early date, looking toward the dissolution of their tribal governments and they began to give the matter more favorable consideration. This McAlester convention organized by electing Captain Stanley of the Choctaw Nation as President and Robt. L. Owen of the Cherokee Nation as secretary. After a somewhat lengthy discussion they adopted, in substance, the following resolution:

"Resolved: That the time has arrived when the repeated demands of the United States makes it imperative on the Five Civilized Tribes to treat with the Dawes Commission, and each tribe pledges to act in perfect harmony with the others and on a definite, common line of policy, as follows:

"We recognize that the proposals of the United States of disintegrating our lands by allotment and town sites means ultimate state government.

"If compelled to dissolve our tribal governments, we wish to construct an abler government which shall protect the lives, liberty, property and happiness of our people.

"We will first insist upon full payment of all claims due each of the nations arising out of treaty stipulations or other relations. when division of lands be made, all lands shall be divided among citizens of the tribe.

"We insist that the Government of the United States shall pay to each citizen Five Hundred Dollars, because:

"1. Our people must relinquish a government to which our people are attached.

"2. They must give up their social habits and customs of long standing.

"3. They must assume new and strange duties and habits to which they are unaccustomed, and which will prove irksome and expensive, especially to full-bloods.

"4. Each citizen will have to build new outside fences according to the United States surveys. This will cost hundreds of dollars.

"5. Many will have to move houses, change orchards, and other improvements.

"6. Our citizens will lose free pasturage and pastures will have to be fenced.

"7. Our hogs which have heretofore fattened on the open mast, will have to be brought home and food provided.

"8. We will have to abandon our old roads and trails and build new ones on the section lines, as well as new bridges.

"Our people will, under the new conditions, be required to bear an immediate close contact with mean and impecunious persons, impoverished in other states, who will seek to better their conditions in the Indian country, and who will subject our people to the same line of exasperating and aggressive trespass that drove the Indians out of Kansas for refuge in the Indian Territory.

"We insist that our educational institutions be sustained by the United States under the Carlisle system and we will set aside a portion of our lands for such schools.

"We will never consent to a territorial government or to union with Oklahoma Territory. When the proper time comes we will ask to be admitted as a state into the Union."

The foregoing may well be regarded as a remarkable document when it is remembered that almost every meeting of Indians previously held, had adopted resolutions expressing their disapproval of any steps toward the dissolution of their tribal affairs.

It would be difficult to find any document which outlines more clearly, the Indians' real objections to individual allotment of lands.

FIRST TERRITORIAL CONVENTION

The first convention held in Indian Territory for the purpose of concentrating public sentiment upon congressional aid needed for relieving the deplorable situation which then existed, convened at South McAlester on February 22, 1900, under a joint call issued by Dr. Leo E. Bennett and Thomas Marcum, Republican and Democratic National Committee-men. The call met with a hearty response from the people and 500 delegates were in attendance, about equally divided between whites and Indians. Doctor Bennett was elected chairman. Much heated discussion was had upon the various propositions presented and eloquent addresses were delivered by Judges C. B. Stuart, Yancey Lewis and J. B. Furman and others. Judge Hocker of Purcell, wanted a declaration in favor of joint statehood with Oklahoma Territory.

Judge Lewis offered a resolution calling upon Congress to provide for the appointment of a governor for Indian Territory. Neither proposition was adopted, however, and the convention adjourned in the evening after adopting resolutions urging Congress to speed up in the matter of settling the Indian affairs of the Five Civilized Tribes.

THE SEQUOYAH CONVENTION

Early in 1905 a movement was strongly advocated by prominent Indian Territory men in favor of creating a state out of this Territory, and opposing the proposition of making one state of the two territories. Meetings were held throughout Indian Territory and delegates were selected to attend a constitutional convention to be held in Muskogee on the eighth day of March of that year. A committee of able men was appointed in advance to prepare a constitution and the work of that committee resulted in the preparation of a very elaborate document for the consideration of the delegates assembled in the Muskogee convention. Among the men who took an active part in the discussion and adoption of the constitution, were Judge John R. Thomas, Mayor S. M. Rutherford, General Pleasant Porter, Chief of the Creek Nation, W. W. Hastings, C. N. Haskell, W. H. Murray, and A. Grant Evans, president of Henry Kendall College.

Various provisions of the proposed constitution elicited some

interesting debates, some of which bordered upon the acrimonious. It was as a member of this convention that Charles N. Haskell, who had previously stated that he had no political ambition, exhibited those strong qualities as a debater and political leader, which subsequently made him the first Governor of the state of Oklahoma. The Sequoyah constitution was finally adopted and in order to give the convention a non-partisan appearance, two Republicans—Judge John R. Thomas of Muskogee and C. L. Long of Wewoka, and two Democrats—Joe LaHay of Claremore and D. C. McCurtain of the Choctaw Nation were nominated as congressman for the proposed new state.

Upon the whole it was a very interesting and instructive convention. It developed some able political leaders; it put men to seriously studying the provisions which a state constitution should contain; it put the Indians of the Five Civilized Tribes on record as favoring statehood in some form, as many of the delegates were Indians; but it never, at any time, had the slightest chance of receiving the approval of Congress and the President, for President Roosevelt and the leaders in Congress had already decided that statehood would only be granted by combining Oklahoma with Indian Territory. The death of the proposed state of Sequoyah proved to be a grave disappointment to the town of Fort Gibson as the convention had designated that town as the temporary capital.

THE NEGROES

There are two classes of negroes in this section of Oklahoma, usually known as freedmen and State Negroes. The freedmen are the negroes and their descendants who were formerly slaves of the Indians, and the State Negroes are those who have voluntarily emigrated to Oklahoma from other States.

When slavery was abolished the Indian tribes were compelled by the Federal government to divide their tribal lands with the freedmen. This was virtually a penalty imposed upon the Indian tribes for the support which they gave the Southern Confederacy during the Civil war. In the Cherokee Nation each freedman, man, woman and child, was given forty acres of land but in the Creek Nation, each freedman, his wife and children, shared equally with the Indians in their tribal lands and funds. The

Dawes Commission allotted to each 160 acres of land, but many of the negroes, having never owned land, knew nothing of its value and were willing to sell for a song.

The first act of Congress relating to the alienation of tribal lands provided that each adult freedman might sell 120 acres of his allotment, but must retain forty acres as a homestead. This restriction, preventing the freedman from alienating his forty acre homestead, was evidently intended to prevent his becoming a pauper, but it did not appeal to the white man who bought the 120 acres. The southern white farmer did not relish the thought of having a negro as his next door neighbor and in almost every instance where a freedman sold his 120 acres, the purchaser also secured a lease on the forty acre homestead. Congress however, was soon induced to remove the restrictions upon the sale of the homestead, and the adult freedman was then at liberty to sell all of his allotment. Many of them did sell their land for less than its actual value, squandered the proceeds and are now indigents, but others refused to sell any portion of their lands and are now prosperous farmers. Quite a number of them have become very wealthy through the discovery and development of oil on their lands.

The Negroes have shown a very commendable degree of interest in education. They have their own schools and churches; with the exception of some of the older ones, practically all of them can read and write, and quite a number of them are successful lawyers, physicians and business men.

A TOUR ON THE PRAIRIES—HOW INDIAN TERRITORY APPEARED TO WASHINGTON IRVING IN 1832.

In 1832 the Federal Government appointed a commission consisting of Montford Stokes, Robert Vaux and Wilfred Darroll to visit Indian Territory and try to effect peace between the newly arrived Cherokees and Creeks on the one hand and the numerous half civilized tribes that roamed the country between Arkansas and the Rocky Mountains. These wandering bands were inclined to dispute the rights of the Cherokees and Creeks to settle here and serious trouble was threatened. The commissioners had to travel overland from St. Louis to Fort Gibson and on this trip they were accompanied by Washington Irving, who had just re-

turned from an extensive trip through Europe, and who was specially fond of exploring new countries. Irving's well-known book, "A Tour on the Prairies," contains a very vivid description of this country as it appeared to him ninety years ago, and to the present generation of people now residing here, a comparison of conditions, as they now exist here, with the appearance of this country in Irving's time, is certainly very interesting. The tracing of his journey, from place to place, as he describes the varying scenes, is also an interesting study for our people. He arrived at Fort Gibson, in company of the three commissioners in October, 1832, after spending a month in traveling across the country from St. Louis. He begins his story by saying:

"In the often vaunted regions of the far West, several hundred miles beyond the Mississippi, extends a vast tract of uninhabited country, where there is neither to be seen the log house of the white man nor the wigwam of the Indian. It consists of great, grassy plains, interspersed with forests and groves and clumps of trees, and watered by the Arkansas, the Grand Canadian, the Red River and their tributaries. Over these fertile and verdant wastes still roam the elk, the buffalo and the wild horse, in all their native freedom. These, in fact, are the hunting grounds of the various tribes of the far West. Hither repair the Creeks, the Osages, the Delawares and other tribes that have linked themselves with civilization and live within the vicinity of the white settlements. Here, resort also, the Pawnees, the Comanches and other fierce and as yet, independent tribes, the nomads of the prairies, or the inhabitants of the skirts of the Rocky mountains. The regions which I have mentioned form a debatable ground of these warring and vindictive tribes; none of them presumes to erect a permanent habitation within its borders."

It is barely possible that some "down Easterners" who are familiar with Irving's writings, and who still regard this section of the country as the "wild and woolly West," have forgotten that great changes have been made in every part of the United States during the past century, and that in no section have those changes been more pronounced or swifter than in Oklahoma.

After resting a few days at Fort Gibson, Irving states that, accompanied by a lieutenant, fourteen soldiers and a few officials from the Fort and a few adventurers, he started on horseback, in a Westerly direction, crossing the Grand and Verdigris rivers

and making his first stop at the Osage Agency in charge of Colonel Choteau, and which was then located about twelve miles Northwest of Fort Gibson, not far from the present site of Tullahassee. After describing the native costumes of the Osages who were loafing around Colonel Choteau's headquarters, he says:

"In a contrast to these was a gaily dressed party of Creeks. There is something, at first glance, quite oriental in the appearance of this tribe. They dress in calico hunting shirts of various brilliant colors, decorated with bright fringes, and belted with broad girdles, embroidered with beads; they have leggins of dressed deerskins or of green or scarlet cloth, with embroidered knee-bands and tassels; their moccasins were fancifully wrought and ornamented, and they wear gaudy handkerchiefs tastefully bound around their heads."

A modern Creek dressed in that kind of wearing apparel would be regarded as a curiosity or as a freak, even by the Creek Indians of the present day. After a few hours' visit with Colonel Choteau, Irving's party started on up the Arkansas River, passing a farmhouse occupied by a man by the name of Berryhill and the farms of a few other Creeks. A company of soldiers from Fort Gibson had started off on a scouting trip a few days ahead of Irving's party and the thick woods along the Arkansas River made it difficult for his escort to follow their trail. His party was anxious to overtake the soldiers as the Osages were warring with the Pawnees just at that time, and the officials felt that a strong escort of soldiers was necessary in order to prevent trouble with the warring Indians. The two Creek Indians who were sent out ahead to overtake the company of soldiers, found them not far from the present site of Tulsa, and Irving's party continued their march through the woods, in a line as nearly direct as possible to that point. They found an abundance of game and honey along the way, and met quite a band of Osages whom they tried to induce to cease warring with their neighbors. From this point the expedition traveled in a westerly direction, in search of buffaloes until they arrived within about twenty-five miles of the present location of Stillwater. Thence the party traveled in a southwesterly direction until they arrived within a few miles of the present town of Norman; thence turning toward Fort Gibson, they pursued an easterly course until they reached a point not far from the present Weleetka, and from there they followed a northeasterly direction until they arrived

again at Fort Gibson. Their party had quite an exciting time in getting across the Arkansas River near the mouth of Red Fork. Proceeding westward they passed a camp of Delawares and were soon within the country claimed by the Pawnees, where the buffalo, deer and wild horses were found.

The party seemed to be somewhat fearful of an attack by the Pawnees who were known to be opposed to any trespassing upon their hunting grounds and upon several occasions they prepared to resist imaginary attacks of the Indians, but they completed their trip without encountering any trouble with any of the Indian tribes. It is an interesting study, especially for residents of Eastern Oklahoma, to read Irving's description of his month's trip, tracing his journey on the map and comparing the appearance of this country as he saw it ninety years ago with its present appearance.

CHAPTER XV

NATURAL RESOURCES

NATURAL GAS—THE CLIMATE—GOOD ROADS—INTER-STATE HIGHWAY DEVELOPMENT—ADDRESS OF CHIEF WILLIAM P. ROSS, AT MUSKOGEE FAIR, 1876—MINERAL RESOURCES AND DEVELOPMENT—OIL AND GAS —GLASS SAND—GRANITE — LIMESTONE—MARBLE — SANDSTONE — CLAY AND SHALE—PORTLAND CEMENT—TRIPOLI—LEAD AND ZINC.

It would be difficult to find a locality in which the natural resources are more abundant or more diversified than in the Northeast quarter of the State of Oklahoma. By far the greater part of this section of the state was orginally a timbered country, and in the valleys of the numerous streams and on the Ozark hills of the eastern border of the state, much good timber may still be found. Some pine trees still adorn the hills and walnut is not uncommon in the valleys. Several varieties of hickory and oak are still quite abundant, as are also the sycamore, elm, hackberry, pecan and cottonwood. Timber sufficient for firewood and fence posts is available in almost every neighborhood. Wild grasses of various varieties grow abundantly in the timber and on the prairies and in the days ante-dating the arrival of railroads, Texas ranchmen were fond of lingering in this locality where grass and water were so abundant, while driving their cattle overland to the northern markets. That this section of the state is destined to become an important fruit-producing district is evidenced by the fact that numerous wild fruits, such as grapes, plums, dewberries, huckleberries, blackberries, persimmons and others, grow abundantly here. Many a spot in the Cherokee hills, where land is cheap, would soon prove a bonanza to the Italian grape-grower.

In the Northeastern corner of the state, principally in Ottawa County, has been developed one of the greatest lead and zinc fields in the United States. Marble of fine quality is available in Cherokee County and in some other localities.

NATURAL GAS

Natural gas has been found in nearly every county in this section and is now being used for heating the homes and business houses of the principal towns.

Oil wells are numerous in many localities and new ones are being drilled every week. Many Indians and negroes (Freedmen) have become wealthy from the receipts of royalties on oil found upon their lands.

THE CLIMATE

The climate of this section of the state is mild, the average annual temperature, according to official reports, being about 60°F. Frost seldom occurs between March and November, thus giving a very favorable season for maturing crops. Our summer nights are invariably cool, the sultry, stifling nights so common in states farther North, being almost entirely unknown.

In 1913 several specialists from the United States Department of Agriculture made an extensive soil survey of this section of the state and reported the discovery of forty-two varieties of soil.

In summarizing their report on Muskogee County, these specialists say: "The county may be divided into three physiographic divisions: The prairie plains, of nearly level to rolling topography; the wooded uplands, a part of the Ozark Uplift and consisting of a rugged escarpment with a nearly level crest, deeply intersected by an extensive system of small and intermittent streams; and bottoms and terraces along the Arkansas and Canadian rivers, through numerous tributaries. The climate is adapted to the production of a variety of crops. The mean annual temperature is 60°F. and the mean annual precipitation about 38 inches. The rainfall is usually well distributed throughout the growing season.

"Cotton and corn are the most important crops, supplemented by oats, kafir, milo, sorghum and hay from native prairie grasses. Alfalfa is grown exclusively on the river-bottom soils and the acreage is being increased gradually. Irish and sweet potatoes, truck crops, sugar cane, peanuts, peaches and apples are minor crops growing in favor. Irish potatoes are grown on a commercial scale, principally on the bottom soils near Webbers Falls and Fort

FORTY ACRES OF COTTON, MUSKOGEE, 1912

Gibson. No systematic rotation of crops is practiced and the adaptation of the various soils to particular crops is not generally recognized."

In describing the Hanceville fine sandy loam soil found in this section, this official report says:

"This type is a very desirable fruit soil, and of the fruits, peaches do especially well. While the peach seems to thrive on a lighter soil than is considered best for the apple, apples of good flavor, color and keeping quality are grown, in a limited way, on this type. The indications are that the fruit industry could be established on a commercial basis, but at present fruit is grown only for home use and local markets."

During the eight years since the foregoing investigations and reports were made, much improvement has been made along the lines of rotation and diversification of crops, due largely to the advice and assistance rendered to farmers by the active county and Federal agricultural agents.

The fruit industry, however, languishes and great opportunities are awaiting the arrival of the thoroughly practical horticulturist.

GOOD ROADS—INTER-STATE HIGHWAY DEVELOPMENT

The only permanent highway built by our National Government during the first century of its existence was called "The Great National Pike," which was begun at Cumberland, in the Northwest corner of Maryland and extended westward to Vandalia, in Southern Illinois. It was begun in 1806, but was not completed until 1840. It was eighty feet wide and was macadamized to the width of thirty feet. The Government intended to pay for it out of sales of public lands in the states traversed by the Pike, but on account of lack of knowledge concerning road-building and inefficiency in management, the task proved to be much more expensive than at first contemplated and through the influence of Henry Clay, Congress was induced to appropriate $6,821,246 to complete the road. It was regarded as a gigantic undertaking in those days, and the Federal authorities were so severely charged with extravagance, and became so annoyed by the long delay in completing the road, that for many years afterward no congressman had the temerity to advocate governmental road-building. In

1856 the Government donated the Pike to the various states through which it passed. In those early days when railroads were few in number and corduroy roads were numerous, thousands of emigrants, in search of Western homes, followed the National Pike. Caravans of from thirty to fifty covered wagons could be seen every day, slowly moving westward.

During recent years, however, the Government's attitude toward permanent road-building has changed very materially, and Federal aid is now being quite generously offered to every state that will interest its citizens in the construction of permanent roads.

Oklahoma was prompt in availing itself of this financial aid and plans are now being made which within a few short years, will result in a net-work of good roads covering every part of the state.

GOOD ROADS

When it was suggested a few years ago that an International Highway be built from Winnipeg, Canada, to New Orleans, it was regarded by many people as a joke, a visionary scheme, an impossibility. The World war delayed its progress, but since the war closed the project has been pushed vigorously all along the line and, considered but a few years ago an impractical proposition, it is rapidly developing into a reality. Muskogee's enterprising citizens were among the first to endorse the proposition and the interest which they manifested from the very inception of the scheme, resulted in placing Muskogee on its proposed route and the selection of Mr. D. N. Fink as the Vice President of the Highway Association. Through the energetic efforts of Mr. Fink the Jefferson Highway is already completed through Muskogee County and the counties North and South are planning to do their share toward making the road complete from Kansas to Texas. As the Jefferson Highway contemplates extending branches out in various directions along its route, the section which crosses Eastern Oklahoma and passes through Muskogee, has been designated as "The King of Trails." The "Albert Pike" highway, another quasi National undertaking, which enters Oklahoma at Fort Smith and traverses the state in a Northwesterly direction, will also pass through Muskogee.

Tourists who are already making use of these great highways are inclined to linger in Muskogee when they arrive at the Tourists' Free Camp, with its shower baths and cooking tents, located in the beautiful Spaulding Park, in the Southeast part of the city.

ADDRESS OF CHIEF WILLIAM P. ROSS AT MUSKOGEE FAIR, IN 1876. FIFTEEN INDIAN TRIBES REPRESENTED

"It would have been no difficult task for the association which brings me before this audience to find an agriculturist whose experience and success would entitle his views to more consideration than mine. It is true I was reared and have resided the greater part of my life upon a farm and at one time or another had more or less experience in the duties which usually devolve upon a tiller of the soil; but I pretend not to speak with confidence upon any of its leading branches. There are, however, enough weak, strong and indifferent points in the manner of their usual pursuit to fix the attention and justify the comments of the most limited observer.

"There are in the Indian Territory, as elsewhere, the careful farmer, the indifferent farmer and the careless farmer. These classes might be compared as few, most, more; and can be readily distinguished by their work, or the absence of it, as the cattle grazing on yonder prairie almost hidden from view by the tall grass and bright flowers into which they are plunged, by their marks and brands. The careful farmer does everything at the proper time. He plows deep and early, prepares the ground fully, plants or sows his seeds with care and cultivates them at the right time with neatness and thoroughness; his dwelling is made comfortable, his larder and granaries are well filled, his cattle salted and fed in winter and his horses kept sleek and sheltered and there are around his premises evidences, not to be mistaken, of ease and comfort. Such a man is rarely pressed by want. His prudence avoids extravagance and gives him credit at all times to meet any emergency that may spring up in his affairs. If seasons are unpropitious and his crops fall below an average, he garners much as anyone else under like circumstances, and its increased value makes up the deficiency in quantity. In a word, he is usually prosperous, contented, respected; a blessing to his neighborhood,

supporter of law and order and almost invariably a pillar in Church and State. I wish men of this character, by some process of alchemy, could change the entire population of the Territory into the likeness of themselves and spare even a brief contemplation of their opposites. The indifferent farmer does things by halves, and one knows not whether to pity or despise him. He is nothing positive but reminds one of the common remark that 'he is so good, until he is good for nothing.' His fences are good enough to make stock breachy and keep himself and his neighbors in an uproar during the whole farming season; his plows are out of order, his teams just fat enough to do half work in half style, or to bring half price if it becomes necessary to sell. There is a perpetual race between the weeds and his crop and he compromises with them by plowing out the middles between the rows and leaving as many burrs or other noxious weeds and grass as stalks of corn in a hill, to be equally but only half cultivated.

"The seasons are always out of joint with him and Providence ever presents a frowning face. He has no luck but bad luck and is always between the upper and nether millstones and I regret to think that there are thousands of such men all over this Territory who today are leading unhappy lives, half way providing for their families simply because of the want of pluck and energy to change their condition. There is, however, some hope that the force of example, the latent spirit of ambition, the pride of good housewives or the new ideas and higher aspirations imbibed by the rising generation will root him out of the grooves in which he has so long run and force him, at least to attempt achievements worthier of his intelligence and condition. I am aware that when you bid men who have only maul and ax and their own hands to go forth and grow rich you impose no ordinary task.

"But there are those who have achieved success and competence under such circumstances. Let them remember that the sixty-ninth effort of the spider to raise himself by his own attenuated web gave fresh courage to the drooping spirits of Bruce of Scotland and nerved his arm afresh to deeds of daring when, supposing all was lost, he was hiding in a cavern of the earth from his country's oppressors. And so will it be with patient, persevering industry and economy in every walk of life. Will, application, energy, self devotion, are the elements of success in the fields of agriculture as well as in the closet or upon the forum.

"So far as the careless farmer is concerned I have but little to say, for there is but little that can be said of him. His picture was forcefully sketched a few years ago by Asahabet, the distinguished war chief of the Comanches, whom I am glad to know is here today. Seated on the fertile banks of the Washita one bright morning a few years ago, he was pointing out and deploring the change in the condition of his people. The winds of winter had beaten his tents into tatters, his children had scarcely the semblance of a covering for their persons, the tobacco given him was wet, the flour scarce and wormy and the stringy beef upon which he was fed, stuck in his throat and almost choked him as it passed downward to its destination. And thus it had been with him since he abandoned his own for the pathway of the white man, which he had done amid the taunts and ridicule of bands of his own people, who roamed successfully as hunters and warriors. Nor could he see anything hopeful for him in the future. 'Indeed,' said he, 'a short time since I had occasion to visit Fort Washita, and while on my way there I stopped at the house of what I was told was a civilized man. It was made of very small logs and the cracks between them were left open or daubed with clay tempered into mud. There was an opening for a front door, but no shutter; there was no floor but one of dirt; a stretched hide answered for a bed, but besides a sore-backed pony, a half starved calf, two or three pots for cooking and a few children, dogs and pigs mixed together, I saw no other property and no evidence of comfort, or prospects; and I turned away from the place and said to myself: "If that was the end of the path which the white man invited me to travel, if that was civilization, I wanted it not." ' And I wondered not that his heart sped its way back from such a place, as the arrow from the bow twanged by his brawny arm, to the green grass, the clean ground, the limpid water, the savory bison and the sweet pure air of his native plains. And so say I, if such be the necessary condition of civilized life, its squalor, its filth, its mental darkness, its moral ignorance, its laziness and physical debasement, I want it not. A thousand times sooner give me the life of the free and dauntless nomads of the plains, with them to chase the buffalo, to decoy the antelope, to drink their fresh waters and to hear in their native bowers the notes of the woodbird wild and free.

"But such is not civilization; such is not the destination toward which we press forward and to which this association directs its

efforts and beckons onward the people of this Territory. It is to a condition higher, purer, better, more plenteous and independent. I well remember to have heard the distinguished scholar, philosopher and gentleman so long secretary of the Smithsonian Institution, remark to a class of students, that it was a common error to suppose that barbarism was the natural condition of man; on the contrary it was when he presented the highest type of civilization as he came from the hand of the Almighty. That is the condition to which we aspire and to which we desire to see the people—the Indian people of this Territory, attain. I know there are those who affect to despise the capacity of the Indian for civilization. A few years since I was present at a meeting of distinguished humanitarians when this subject came before them, and after a brief consultation they were graciously pleased to express the opinion that the Indians were susceptible of a high degree of civilization, avoiding the superlative degree of speech. Perhaps this was the truth and the whole truth in regard to them. But I did not believe it then, nor do I believe it now. No people ever possessed such histories as these now above us who were not capable of great achievements. Pluck, bravery, fortitude, sagacity, perseverance, endurance and a lofty patriotism have ever distinguished them and none who have these qualities ever become effete or contemptible or hopeless. The Mississippi, the Alabama and the Tennessee are not the only monuments more lasting than brass that will hand their memories down to posterity. Their names are carved in the niches of the great temple of American history and will not perish while those of its warriors stand uncorroded by the tooth of time. Osceola, of the Seminoles; Pushmataha, of the Choctaws; Sequoyah, of the Cherokees, the Cadmus of modern times; are names honorably mentioned and preserved.

"It is said that a British minister once remarked to President Jackson, that Sir Richard Parkinham was perhaps the most gallant soldier he ever met. 'Not so, sir,' was the prompt reply. 'That distinction belongs to Weatherford, the warrior of the Muskogees;' and well might he pay such compliment to gallantry, for who, when all was lost but his bravery, threw himself into the hands of his conqueror and bade him do his pleasure. And can you believe for a moment that the people who have produced such men are incapable of progress, that their success is limited by mere animal instinct, and that there are no higher realms of

thought and effort and achievement for them? Believe it not. The success of the past is the earnest of the future, and the descendants of these magnificent specimens of physical manhood who stand before me today, will stand here in future generations, the peers of the noble race, whose presence honors this occasion and whose blood is so rapidly solving the great Indian question.

"Do you enquire upon what I base these hopeful anticipations for a race oftentimes declared to be doomed by the miserable advocates of the doctrine of 'manifest destiny?' I answer, 'upon these fertile acres, all their own, these patriotic hands and the faith of that government which has preserved them through the first century of its eventful history.' The board of Indian commissioners in 1873 estimated that there were of improved land in farms, 204,677 acres; bushels of wheat, corn, etc., produced, 6,739,355; value of farm produce including increase of stock, $4,663,610; number of horses, cattle, etc., 464,465; value of personal property, not including real estate and stocks held in trust for them, $16,-987,818. The government holds in trust, in investments and in lieu of investments of these tribes, not less than $8,000,000, the income from which is applied to the support of their governments and the cause of education. From the published report of the proceedings of the general council of the Territory, which convened in May, I learn that, omitting schools and aggregate attendance of schools in successful operation among the Kaws, Osages, Shawnees, Sacs and Foxes, the number of common schools is 185. with an aggregate attendance of 5,962. The Church membership among the Creeks, Choctaws, Chickasaws, Cherokees, and Seminoles is upwards of 7,500. From these general statistics and recent sources of information, allow me to recapitulate briefly such items of special interest as relate to the people of the Cherokee Nation. Besides the seven millions of acres of land in the western part of the Territory, subject to settlement by friendly Indians upon such terms as may be agreed upon in the manner provided by the treaty of 1866, their permanent reserve, upon which they now reside and for which they hold letters patent from the Government of the United States, adjudicated and recognized to be in fee simple conveyance by every department of the United States Government, is estimated to contain 3,284,000 acres, investments something less than $3,000,000. Fifty percent of this income is applied to the support of this government; thirty-five per cent to general

school purposes and fifteen per cent to the orphan fund. The recognized citizen population of the natives residing within its limits is 19,000 of which there are of native Cherokees about 14,850; adopted Creeks, 298; Delawares, 752; Shawnees, 655; whites, 760; colored, 1,670; orphans under eighteen years, 258; blind, 39; insane, 9; deaf and dumb, 7. Acres in cultivation, 65,950; horses, 12,185; cattle, 41,550; other stock, 43,750; mills, 22; smith shops, 65; stores, 22; total number of day schools, 75; 1 orphan school and 1 female high school; aggregate attendance, 2,254.

"During the past year the Cherokee Nation has expended under authority of law and the personal supervision of Capt. Haskell, the distinguished architect of Kansas, between eighty and ninety thousand dollars of their own funds in buildings and additions to be used for an orphan school, a female high school, a male high school with primary department, a home for the blind and insane. Previously, but since the war, $7,000 has been expended for a jail for the punishment and reformation of criminals and about $20,000 in building a capitol and more than twice that sum prior to the war in school buildings now undergoing repairs and additions.

"Agriculture, horticulture and stock raising must continue to furnish the support and prosperity of the people of this Territory. Fortunately for them they have no difficulty in their pursuit; an error which seems to extend to millions of otherwise well-informed people upon almost everything relating to the Indians, supposes that the Creeks, Seminoles, Choctaws, Chickasaws, and Cherokees have been chiefly a race of wandering hunters.

"But such is not the case. While doubtless they hunted and fished at a former time, largely as a means of subsistence, it is well known that, in their rude way, they have been from time immemorial, tillers of the soil.

"When first discovered by the Europeans they existed as natives, planted their own soil and cultivated their favorite corn and various vegetables. They have never been simply meat eaters and I feel warranted in asserting that while the white population has increased around them, hemming them in and cutting off the resources furnished by the hand of bountiful nature, their productions have increased and varied to a corresponding degree.

"They are self-sustaining and, so far as my knowledge extends,

always have been. The government has bestowed upon them no gratuity. The moneys sometimes paid them per capita, have been their own, while the subsistence furnished them temporarily after their immigration to this country, was paid for from the small consideration allowed them for their lands east of the Mississippi River. Occasional failures of crops have stinted them as in the past year, but there has been rarely any general suffering among the people. The many thousand head of cattle stolen from the Creeks and Cherokees alone during the late war attest the declaration that famine could not then have thrust its gaunt form and shrivelled features in their midst. And how is it now? I have presented evidence of their permanent improvement and rapid progress which no sensible man will fail to recognize, while these specimens of well developed manhood and womanhood can well treat with scorn ill-mannered scribblers who sneeringly taunt them as members of the "Lo family." You my countrymen, be not discouraged. These broad acres are all your own. See that you hand them unabridged to your children. They are fertile and responsive to the hand of industry. Sow and reap and they will add wealth to your homes, strength to your bodies and permanence to your rights and existence.

"Let the garden, the field, and the orchard contribute their vegetables, their grains and their fruits; let these hills again be dotted over with flocks and herds; let its mines of coal, salt and ores be developed under wise and judicious regulations; let its pine, walnut and oak be worked up into cottages, furniture and implements of industry; let labor be stimulated and diversified; let the light of knowledge from them take the place of the beacon fires of the plains, illumine the mines and elevate the character of our youth; and then churches inspire the way to order, sobriety, obedience to law and to values of eternal bliss beyond the skies, and we shall have no cause to fear for the future. Industry will take the place of idleness; sobriety that of intemperance; good will that of strife and bickering; prosperity that of adversity; plenty that of stintedness; and the land will abound with brave and intelligent men and lovely and virtuous women; and while the people of this Territory are thus pushing on we appeal to the stranger here today in our midst for his sympathy and forbearance. I ask not the shylocks of speculation to forego their pound of flesh, nor the apostates from the faith of our fathers to stay their traitorous

hands or cease their howlings around the borders; nor those mercenaries of the press whose principles are as rotten as the shoddy fabrics upon which they are united, to cease their tirades of abuse and calumny of this great encampment, nor the potentates of mammon to shut down in satisfaction the lids of their plethoric coffers, and pause in their nefarious conspiracy against the perpetuity of this Indian country. But there are those to whom I would appeal with hope and confidence in its behalf; To the smith at his forge, to the farmer at his plow, to the merchant behind his counter, to the mechanic at his bench, to the toiling thousands whose daily prayer is for their daily bread and those other thousands who believe that of our flesh God made all the nations of the earth; who renders justice to all men from the highest inspiration of human action; for the sake of justice to them I would appeal in behalf of the people of this Territory. Their opinions pervade with noiseless but resistless power all the relations of life, fix the position of men and determine the destinies of government. These we ask for simple justice and implore them not to allow communities like these struggling bravely if not always wisely, to maintain an existence and to work out the regeneration and perpetuation of their race, to be trampled under the heel of power or despoiled by chicanery and fraud. The history of this government from its foundation, its faith, plighted time and again in scores of solemn treaties and the obligations of this great nation to humanity forbid it. Truth, honor, justice, manliness, forbid it.

"A few weeks since I had the honor to participate in the ceremonies connected with laying the corner stone of the building to be used as an agency for the five principal tribes of this territory. And as I stood on yonder eminence in the presence of a large and intelligent audience of citizens and visitors, and contemplated the magnificent scene of beauty composed of hill and dale, plain and woodland, river and streamlet, grass, flower and shrub, productive fields and fertile acres, the locomotive, the telegraph, all basking in peace and harmony beneath the splendors of a morning sun in a cloudless sky, my heart swelled with delight. But as I recalled to mind that this great republic of the world was moving from the east and the west from the north and the south, from ocean to ocean and from the lakes to the gulf with one impulse, to raise one great voice from one great heart in commemoration of the wonderful progress that marks the completion of the first century of their

existence, and when I recalled to mind also that the nations these represented before had not only completed a century of their existence within its bosom, but also other centuries unknown to the record of man, my heart overflows with gratitude for the fidelity which had thus marked the history of the United States and for the mercy which had been bestowed upon them by the Great Spirit above.

"Imagination sought to peer into the impenetrable future and divine the destiny of those to follow the persons there assembled as it does today. Then rivers in close proximity, whose waters are gathered from the snows of the Rocky Mountains, the plains of Kansas and the fertile valleys of Missouri, and first meet, then embrace, then mingle without the loss of drop or tittle, flow on as one stream to meet the great ocean."

MINERAL RESOURCES AND DEVELOPMENT

In 1908 Prof. Charles N. Gould, State Geologist, made a survey of the mineral resources of the state, from which the following statements are taken, as applying to this part of Oklahoma.

OIL AND GAS

There is no authentic record of the earliest discovery of petroleum and natural gas in Oklahoma. Oil, it appears, was known to the earliest settlers near Mounds and Adair for there is a single oil spring that has been known for years at each place. The greater development to date is in six general fields namely: the Muskogee field, in and near the city of Muskogee; the 96″ meridian pool which extends from the North line of the State to the Glenn field; the Coody's Bluff-Alluwe field, usually known as the shallow field, East of the Verdigris River, in Nowata and Rogers counties; the Cleveland field in Eastern Pawnee County; the Hogshooter field in Eastern Washington County; and the Bald Hill-Morris region East of Okmulgee.

Of these fields, the Muskogee field was the first where oil was discovered by boring. The first development there was in 1894 when two wells were drilled within the present limits of the city. One was 800 feet deep and the other was 1100 feet deep. These wells had an initial production of twelve and sixty barrels daily.

Owing to local conditions, further development was deferred until 1904, when approximately thirty new wells were brought in with a total production of about 1,000 barrels daily. The oil was of the paraffine base and tested forty-two degrees Baume. Development in the Muskogee region was confined to a small area near the City until the winter of 1906-7, when a strong well of high grade oil was brought in, a few miles Southwest of the City. Since that time more than a hundred producing wells have been drilled and the development possibilities in that region seem only to be fairly entered upon.

The ninety-sixth meridian region consists of a large number of small fields or so-called pools, the most prominent of which are those near Copan, Bartlesville, Dewey, Ramona, Skiatook, Tulsa, Red Fork and the world-renowned Glenn Pool. The first wells were drilled prior to the year 1901, at which time there were five producing just beyond the Osage line West of Bartlesville. The first producing wells of the Coody's Bluff-Alluwe field were brought in a few miles West of Chelsea, about 1900. Development went on rapidly until within a few years this field covered a region from six to ten miles wide and twenty miles long. The depth to the oil sand in this field is variable, ranging from 150 feet in some places West of Chelsea, to nearly six hundred feet in the Northern end of the field.

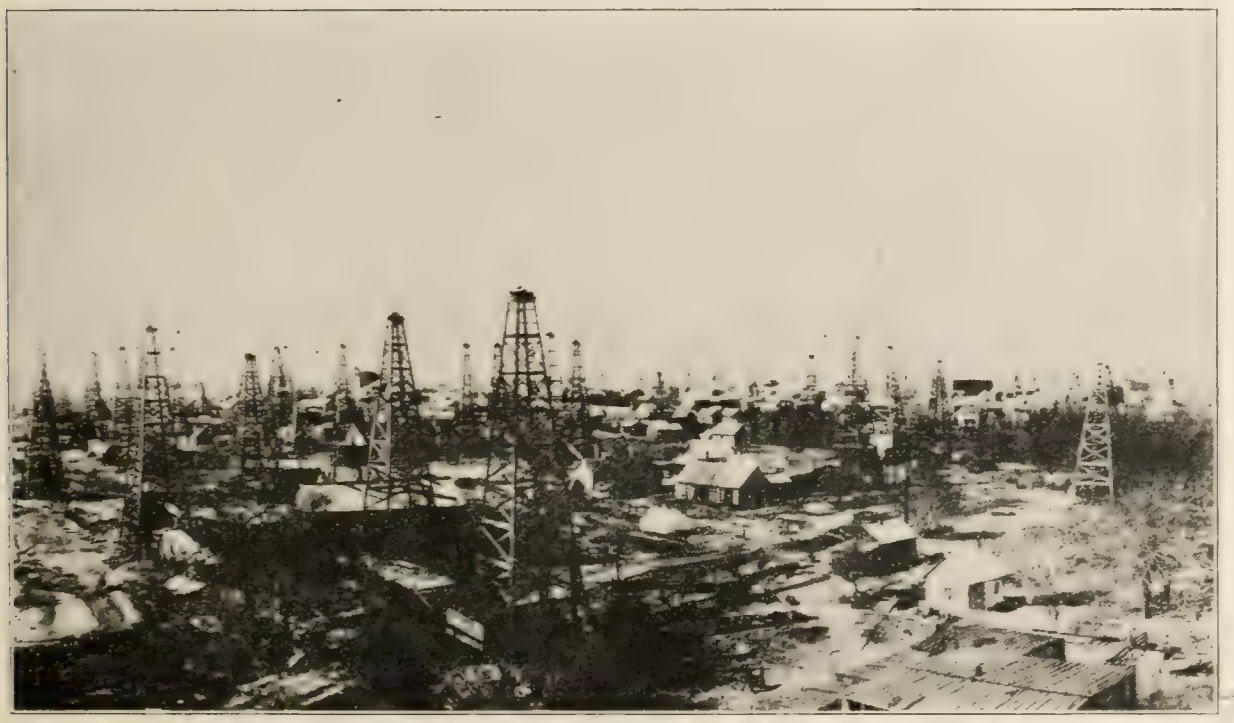
The Hogshooter field is situated along Hogshooter Creek from which it takes its name. The first producing wells were drilled in 1906. Some splendid flows of gas were encountered; the largest reported was in the spring of 1907, when a well said to produce 60,000,000, feet of gas per day was brought in.

Development has been continuous since the beginning. Conditions are such that it is believed that much more productive territory will be found between the East line of Osage County and the Verdigris River. By 1907, 44,300,500 barrels of oil had been secured in the Oklahoma fields. There is no way of estimating the amount of natural gas produced in the State. Almost every city and hamlet within the reach of the fields uses gas for manufacturing and domestic purposes.

GLASS SAND

A good quality of glass sand is found in Cherokee County, near Tahlequah, along a bend of the Illinois River. Mr. Joseph Taff

OIL GUSHER NEAR BARTLESVILLE



BARTLESVILLE, 1906

of the United States Geological Survey, describes the formation as follows:

"The Bergen sandstone is a massive, moderately fine-grained light-brown rock. The beds are thick and planes of stratification are usually indistinct. The rock consists of nearly pure silecious sand of rounded grains, with a matrix scarcely sufficient to cement together.

"In natural exposure the rock breaks readily under the stroke of the hammer, crumbling into loose sand. The formation varies in thickness from a thin stratum to beds aggregating more than a hundred feet. It is exposed in the Tahlequah quadrangle, in but a single area, on the Illinois River, Northeast of Tahlequah, where it rises in bluffs to a height of nearly a hundred feet, and the base is not exposed. The full thickness is therefore not less than a hundred feet."

Unfortunately, however, the glass sand in this region is found in the bottom of the narrow valley of the Illinois River, and at present is without available railroad connections.

GRANITE

There is a small dike along Spavinaw Creek, (Delaware County) about one-half mile west of the postoffice of Spavinaw. During some former period this dike has been thrust up from below, penetrating the softer rocks. These rocks have been worn away and expose the granite for nearly half a mile on the North side of the creek. If a railroad is ever built along Spavinaw Creek this stone will be valuable. There is no reason why Oklahoma should import a cubic foot of granite. There is as good granite in the state as can be found anywhere in the world and the great variety of color makes it desirable for all sorts of architectural and monumental purposes.

LIMESTONE

The largest of the limestone areas is in the north part of the state, in the vicinity of Chelsea and Catoosa (Rogers County), and extending from there toward the west. In this area the rocks consist of heavy ledges of limestone, varying in thickness from 10 to 75 feet, interbedded with sandstones and shales. There is

scarcely a town within the entire region that is not convenient to limestone suitable for building purposes. Eight railroads either cross or border this region and there are but few stations on any of the roads from which limestone could not be profitably shipped if the nearby ledges were but opened up by practical quarrymen. The stone varies considerably in color and texture. In the vicinity of Newkirk it is cream-colored and even-textured, though coarse and full of small fossils. It makes a beautiful building stone and has been widely used throughout the state for building purposes. Quarries have been opened at Bartlesville, Dewey, Claremore, Nowata, Skiatook and other places.

The limestone region next in size is found in the northeastern part of the state, east of the Grand River. This region comprises an area of approximately two thousand square miles and the rocks are mainly limestones, sandstones and shales of carboniferous age. Of these the limestones are of far greater importance industrially.

None of the limestones in any amount is being shipped out from this section, though there is every reason to believe that a little diligent search would reveal a limestone as good as the Carthage limestone.

MARBLE

Technically, marble is limestone that has been changed or metamorphosed by the action of heat and pressure. In common parlance, however, any limestone that takes a good polish is a marble. The line between marble and limestone can never be very sharply drawn. If we accept the latter definition there are a large number of ledges of marble in Oklahoma. There is one region, however, in Oklahoma, where true marble has been found. This region is near Marble City, on the Kansas City Southern Railroad, in Sequoyah County. The area containing the marble occupies four or five sections of land. The stone is known to be more than two hundred feet in thickness, thus making the approximate amount of available marble to exceed ten million cubic yards. The stone is principally calcium carbonate, but contains a small per cent of magnesium carbonate, thus making it slightly dolomitic (white marble). In color it ranges from a pure white to a pink, and in places shows the characteristic mottled or marbled appearance of gray marble. A block of this stone subjected to pressure

AN OTTAWA COUNTY MINE

ONE OF THE BIG LEAD AND ZINC MILLS NEAR MIAMI

tested six months after it was removed from the quarry, showed a crushing strength of 12,000 pounds to the square inch. When just removed from the quarry it crushed at 8,000 pounds. The occurrence of this stone near the Kansas City Southern Railroad which connects with several East and West roads gives splendid facilities to operators.

SANDSTONE

Sandstone is the most widely distributed building stone in Oklahoma, there being scarcely a county in which it is not found in quantity. Its color, texture and quality varies greatly in different regions. The sandstone in Eastern Oklahoma is usually of a light brown or grayish color, regularly bedded and of fine texture, which qualities render it a handsome building stone. It outcrops along the sides of bluffs and cliffs and on top of high hills. Stone of this character is found in all parts of more than thirty counties, including practically all of the Cherokee Nation, all of the Creek Nation, and the northern parts of the Choctaw and Chickasaw nations. Hundreds of cities and towns in this part of the state contain buildings constructed of local sandstone.

CLAY AND SHALE

Clay and shale are found in all parts of Oklahoma and in most places the quality is such that they may be used for brick or other ordinary clay products in which a red color is not objectionable.

The greater part of the clay in this part of the state is suitable for the manufacture of pressed brick, stiff mud brick, tile, hollow-ware and certain grades of pottery. Pressed brick plants have been established at Bartlesville, Ramona, Ochelata, Vinita, Claremore, Muskogee and other places.

PORTLAND CEMENT

Oklahoma has deposits of Portland cement rock that never can be exhausted, and vast deposits of coal, oil and gas. Limestone occurs in practically all parts of the state except the central and northwestern sections.

The rocks in that part of Northern Oklahoma extending from the Arkansas River, east to Craig County, consist largely of alter-

nate layers of shale, sandstone and limestone. There are in all this region about twenty ledges of limestone varying in thickness from 10 to 40 feet, which strike slightly west of south from the Kansas line about as far as the Arkansas River. The shales which are interstratified with the limestones are apparently suited to the manufacture of Portland cement. The amount of natural gas already in sight is sufficient to last for many years. Numerous wells yielding from 5,000,000 to 10,000,000 feet per day have been shut in, and a number of wells are reported to yield all the way up to 60,000,000 cubic feet daily.

As an example of the conditions which I found in this region, I may cite a single instance where a hill which occupies a number of square miles is capped with a ledge of limestone, beneath which is a bed of shale and under the shale is a vein of coal. Both the limestone and shale are suitable for the manufacture of Portland cement. There is plenty of water convenient, gas is found near at hand and two competing lines of railroad cross near by. It will be seen that all that is necessary at this place is to dig down the hill and grind it up. The northeastern part of Oklahoma is occupied by a series of rocks, largely limestone and shale, which includes the southwestern extension of the Ozark Mountains of Missouri. Practically all the limestone and shale might be used for the manufacture of Portland cement. The abundance of limestone and shale, the cheapness of fuel and the constantly increasing demand for Portland cement lead to the conclusion that no more profitable investment can be made than by the establishment of such plants.

TRIPOLI

Tripoli is one of the minerals that occurs in abundance in Oklahoma but is comparatively rare elsewhere. The present seat of the tripoli industry is located at Seneca, Mo., just east of the Oklahoma line, but a large share of the raw material comes from Oklahoma, so that tripoli should be considered among the mineral resources of the state. The deposits which are being worked at this time occur in two localities, about eight miles distant from each other. One of these is in Oklahoma, and there is one pit on the Missouri side of the line just east of the works in Oklahoma. The tripoli obtained from these localities is largely ground up into

tripoli flour. This flour is used for various purposes but the greater part of it is used as an abrasive or polisher in the metal working trades. The very finest grades are used as a jewelry polish, while the coarser parts are used as brass and steel polishes.

There seems to be no reason why tripoli deposits should be confined to this one spot in Oklahoma. The same formation which is found at Seneca, also covers a large part of the region east of Spring and Grand rivers and north of the Arkansas River. Small specimens of tripoli have been found in the vicinity of Tahlequah and in the vicinity of Spavinaw Creek, but no large deposits have yet been noted. Systematic prospecting will doubtless reveal the presence of tripoli in commercial quantities.

LEAD AND ZINC

Very rich and extensive deposits of lead and zinc are found in Oklahoma, principally in the northeastern corner, and scores of mines and mills have been in operation for many years, all of which are described in the sketch on Ottawa County.

Oklahoma probably has a greater variety of valuable minerals in paying quantities than any other state in the Union, the development of which seems yet to be only in its infancy.

CHAPTER XVI

EARLY INDIAN MISSION SCHOOLS

A SKETCH OF THEIR BENEFICENT WORK AMONG THE INDIANS

The first schools for the education of the Five Civilized Tribes were established in Georgia and Tennessee about the beginning of the last century by Moravian, Presbyterian and Baptist missionaries. Religious teaching received rather more emphasis than academic instruction, and although these schools furnished free tuition, the Indians did not manifest any great amount of interest in them, and for many years the attendance was but slight. But by patient, earnest, persistent efforts, the work of the various missions was crowned with success.

The Moravians were the first to undertake this work and as early as 1805, Rev. John Gambold had established an Indian school in Georgia. About the same time Rev. Gideon Blackburn, a Presbyterian missionary, started a school at Hiwassee, in the Cherokee Nation, East. In 1816, Rev. Cyrus Kingsbury, another Presbyterian, established a school near Missionary Ridge, and he was soon followed by Samuel A. Worcester.

The Methodists began their missionary work about 1820 by sending Rev. Joseph Miller, Reverend Scruggs and Rev. William McMahon as missionary teachers. About three years earlier, the Baptists entered the field by sending Rev. Evan Jones and his brother, John B. Jones, who located, first, among the Cherokee settlements in North Carolina. Some of these missionaries accompanied the Indians in their exodus to Indian Territory, and were the first to establish schools there. Dwight Mission was one of the first to be started by the Presbyterians and for many years was one of the best schools in the Indian Territory. The Baptists got busy early and established a few schools a few years later, erecting a substantial brick academy at Tahlequah. The Presbyterians also built a creditable graded school at Tahlequah. Among those

early missionaries, Samuel A. Worcester and Evan Jones will always be remembered for their untiring labors and their devotion to the real welfare of the Indians.

Rev. W. S. Robertson, father of Miss Alice M. Robertson, present member of Congress from the Muskogee district, and Mrs. Augusta R. Moore, assisted by Rev. R. M. Loughridge, rendered valuable assistance to the Creeks, both as missionaries and teachers. They established the boarding school at Tullahassee, twelve miles northwest of Muskogee, for Creek boys and girls, and many of the most influential Creeks of the present day received their educational and religious training in that school. Prior to 1840, practically all of the educational and religious work among the Indians was carried on by the missionaries of the various denominations and were financed by the mission societies. As the work progressed, the Indians began to see the good results of the mission schools, and finally their tribal councils were induced to appropriate funds to aid the missionaries in carrying on their benevolent undertakings. These appropriations were very limited in amount at first, but gradually increased from year to year, and after a while the councils began to appropriate money for the construction of new school buildings.

With the tribal officials thus cooperating with the missionaries, the educational work progressed fairly well until the Civil war came on, when all was changed. The schools were closed, some of the buildings were destroyed by fire, others badly mutilated and nearly all of the mission workers were compelled to leave the Territory. Those who sympathized with the South went to Texas or Arkansas, but the majority of them were opposed to the institution of slavery, and sought refuge in the northern states.

After the war some of the old missionaries, notably Rev. W. S. Robertson and Rev. Evan Jones, returned to the Territory and patiently entered upon the task of rebuilding the schools which the ravages of war had destroyed. In this work they were assisted by a younger class of Christian teachers, among whom were Rev. Theo. F. Brewer, who established Harrell Institute, a Methodist school at Muskogee; Miss Alice Robertson, who founded a Presbyterian school for girls in Muskogee which was later merged into Henry Kendall College; Mrs. Augusta Moore, who devoted much time and energy to building up the Creek boarding schools; and Almon C. Bacone, who began his Indian school work in 1878 as

teacher in the Cherokee Male Seminary at Tahlequah, and while there, conceived the idea of establishing an Indian university. In 1880 he organized a Baptist Mission School at Tahlequah, and his work met with such remarkable success and support, that in 1885 he located at Muskogee and entered upon his task of putting into effect his plans for a larger educational institution, and his Indian university, locally called Bacone University, located two miles northeast of Muskogee, sprang into existence. Indian students from twelve or more tribes have been educated in this school, and under the very efficient management of Dr. Benjamin D. Weeks, its present president, aided by liberal financial support, it is destined to rank with the best educational institutions of the country.

The first Indian Mission Conference in the Territory was held at Riley's Chapel, in the Cherokee Nation, on October 23, 1844. Bishop Thomas A. Morris of the Methodist Episcopal Church presided and among the missionaries in attendance were J. Fields, W. D. Collins, J. Essex, J. F. Root and Tussawalita.

Upon the occasion of the laying of the cornerstone of the new female seminary at Tahlequah on November 3, 1887, ex-Chief William P. Ross delivered an address, a part of which related to the work of the early missionaries, in the following words:

"The subject of education, in its more restricted sense, among the Cherokees, readily classifies under these heads: Private schools, mission schools and national schools. Under the first head, my information is extremely limited. I simply know that Daniel Sullivan, a Scotchman, was the first pedagogue who plied his vocation within the limits of the nation, his introduction having been specially authorized by the chiefs and councilors of the Cherokees, about the beginning of the present century. Other schools of the kind were afterwards taught in the country east of the Mississippi as they have been and are now sometimes taught in this country and youths are occasionally sent then into the states as many as are now sent to be educated. In regard to the schools supported by benevolent boards and which were the chief, as they were many years almost the only fountain of instruction to the children of the country, our sources of information are more generous.

"Rev. T. M. Rights informs me that about the year 1737 an attempt was made by the Moravians to spread the Gospel among the Cherokees.

"This was doubtless the first attempt of the kind made in their behalf, but it was fruitless. In 1783 they were visited by Rev. Martin Schneider at Sitiko; in 1799 permission was given the same brotherhood to establish a school; in 1810 a school mission was established at Spring Place, now within the State of Georgia, where in 1805, a school was opened by Rev. John Gambold whose memory was cherished long years after his death by the Cherokee people. A second station was established at Oochelogy in 1819.

"The missionaries of this denomination followed the Cherokees in 1838, in their removal to this country and settled on Barren Fork, whence, two years later, they removed to Beattie's Prairie and established a station. In 1842 New Spring Place was begun and that station and the one near here, are now occupied. At these stations schools were taught at different times, while a number of Cherokee children have attended their schools in North Carolina, Pennsylvania and Indiana. The Methodists began their labors about 1820 and had a number of ministers at different times who combined preaching and teaching, but I have not been able to learn who or how many of them were engaged in teaching before the removal to this country. I know two of them, Rev. Phineas Scruggs and Joseph Miller who taught at different points in Wills Valley, and whose schools were the first I attended for a short time in early childhood. Dr. John Hanna, the late Doctor McFerrin, Rev. William McMahon and others labored as preachers. They have now one school, I believe, at Webbers Falls and contemplate the early establishment of Galloway College at Vinita, where a grant of 160 acres of land was made them by our National Council under the terms of the Treaty of 1866. Rev. Mr. Posey of the Baptist Church, came among the Cherokees in 1817 as a preacher. Rev. Evan Jones of that denomination, established a station with a school connected in 1820, at the valley towns in North Carolina, among the full Cherokees, which was continued down to the removal in 1838; another school at Tunsewattu in 1821, which was afterward moved West. The influence exerted by Mr. Jones was wide and permanent and is continued today at the institution on yonder hill, and which has reaped the benefits resulting from the ability and experience of Rev. Daniel Rogers and Professor Bacone, now principal of the Baptist University at Muskogee.

"But no denomination has exerted a larger, if so large an influence as educators among us, as the Presbyterians. At my

request, Rev. A. N. Chamberlin has furnished me data in regard to their educational work, which I will present partly in his own language: 'In 1803 Gideon Blackburn, D.D., established a school at Hiwassee, in the northern part of the nation (eastern) under the general assembly of the Presbyterian Church or by their advice. In 1806 he had two flourishing schools, the second established in August of that year, opened with thirty scholars. In 1807 Mr. Blackburn visited the northern states in the interest of his school work, making a tour of several months' duration and collected for his work $5,250 besides a large quantity of books and clothing. In 1808 he made a tour of six weeks' duration through the Cherokee Nation and was much encouraged by the marks of progress among the people. He was prevented by the want of means from establishing more schools. In 1809 he made a similar tour which occupied him for twelve weeks, but on account of failing health and want of means was forced in 1810 to give up his work. The war with England coming on, nothing more was attempted by this denomination for several years. But in 1816 the American Board sent out Rev. Cyrus Kingsbury, who located Brainerd, near the now historic Missionary Ridge in 1817. In September, 1818, the board reported sixty children and youth comfortably fed, and instructed for the present world and for the world to come. Other missionaries arrived including Rev. Ard Hoyt, William Chamberlain, William Potter, Rev. Mr. Berkrich and their families, and later, Doctors Worcester and Butler, and other stations were established. Time will not allow me to name them, but the following named schools which were mostly boarding schools, and attended by from 25 to 100 pupils, may not be omitted. Schools east of the Mississippi River were opened and continued as follows, to-wit: Brainerd, from 1817 to 1839; Carmel, from 1819 to 1836; Hightower, from 1823 to 1831; Hawais, from 1823 to 1834; New Echota, from 1827 to 1834; Ahmohee, from 1831 to 1833; Creek Path, from 1820 to 1837; Willstown, from 1823 to 1839; Candy's Creek, from 1824 to 1837; Red Clay, from 1835 to 1837; Running Waters, from 1835 to 1836. Among the Cherokees west of the Mississippi: Dwight, 1821, transferred from Arkansas, 1829, and continued to 1860; Mulberry, 1828, transferred from Arkansas, 1829, to Fairfield, and continued to 1860; Forks of Illinois, 1830, to Park Hill, 1836, and continued to 1860. The two

schools first mentioned were boarding schools, but that at Park Hill was a day school.'

"To the founders and supporters of these benevolent institutions and to the active laborers, male and female, who endured the trials and privations and anxiety, and some of them imprisonment itself, and whose mortal remains are mingled dust to dust in this land of ours today, let due recognition be given and full gratitude be awarded."

MAIN BUILDING, NORTHEASTERN STATE NORMAL, TAHLEQUAH
Formerly Cherokee Female Seminary—Largest building ever erected by an Indian Tribe

OLD CHEROKEE MALE SEMINARY, TAHLEQUAH

CHAPTER XVII

TRIBAL SCHOOLS

CHEROKEES MOST ADVANCED—THE CHEROKEE MALE AND FEMALE SEMINARIES—CREEK SCHOOLS—TULLAHASSEE MISSION SCHOOL—NUYAKA MISSION—EUFAULA HIGH SCHOOL—EUCHEE MISSION—OTHER BOARDING SCHOOLS.

The Cherokee Nation has made more progress in education, has educated a greater proportion of its members, male and female, than any other Indian tribe, not excepting the tribes whose educational institutions, have, from their beginning, been controlled and managed by the Federal Government. As early as 1819, while they were still in possession of their Georgian homes, the Cherokees, influenced and encouraged, doubtless, by the devoted missionaries who had located among them, began to make provision for the education of their children, by creating a permanent school fund out of a portion of the proceeds of their lands, which they were induced to sell. This fund was increased from time to time, by the provisions of the various treaties, the Federal Government retaining the principal in trust for the tribe, until the interest on the invested fund was sufficient to maintain their two seminaries and 124 day schools. In 1841, shortly after their emigration to Indian Territory, their tribal council established eleven day schools, and in 1846 their council made appropriations for building two seminaries, one for their boys, the other for their girls. The male seminary was located on a pretty knoll, two miles west of Tahlequah, and the female seminary at Park Hill, three miles south of Tahlequah, near the home of the old chief, John Ross. At that time, there was no railroad in the Indian Territory and the assembling of building material of the desired quality and dimensions was a slow and difficult task. The two seminaries were designed upon the same plan, being somewhat of the Greek Doric style of architecture, resembling the historic Parthenon. The

buildings were not completed until the Spring of 1850 and were dedicated on the same day, May 7 of that year. The two schools were supplied with faithful, competent instructors and for the next ten years they accomplished excellent educational results. Many intelligent old Cherokee men and women still living are fond of recalling the pleasant incidents of their early training in the old seminaries. Both schools were well patronized and well maintained until 1861, when the bitter strife and enmity engendered by the Civil war, divided the Cherokee people into two hostile factions and all of their schools were compelled to close. During the war the buildings were, at various times, occupied by the soldiers, first by the Confederates, then by the Northern soldiers, and, of course, were somewhat mutilated and damaged. Some time after the war had closed, largely through the influence of William P. Ross, who had succeeded his famous uncle, John Ross, as chief of the Cherokees, the seminaries were repaired and reopened to Cherokee students. For the next twenty years the schools made rapid strides in educational work and progress, during all of which period the Park Hill Seminary was under the supervision of Miss Florence Wilson, whose faithful, patient services gave her the well-earned title of "Mother" to the hundreds of Cherokee girls. Their educational progress was again suddenly interrupted on the 10th day of April, 1887, when the beloved Park Hill Seminary was totally destroyed by fire. The loss of this building caused many heartaches for it had been an institution of which the Cherokee people were justly proud, and around it were clustered the pleasant memories of many years.

The courage of the Cherokee people, as well as their intense interest in the educational welfare of their daughters, was manifested by the practically unanimous desire to rebuild the seminary at once. Within a few short months a special session of the council was convened and $60,000 appropriated for building a new female seminary, and before the end of the year the plans had been prepared, the contract awarded and work on the new structure begun. The location of the new building was changed, however, from the old Park Hill neighborhood to the northern suburbs of Tahlequah, where, on the 18th day of April, 1889, was completed the largest school building in Indian Territory, on the prettiest site in the state.

The cornerstone of this splendid building was laid, with appro-

CREEK INDIAN BOARDING SCHOOL, TULLAHASSEE, BUILT BY CREEK INDIANS

priate ceremonies on the 3d day of November, 1887, upon which occasion ex-Chief William P. Ross delivered an able address to his people on the subject of education. The male seminary was enlarged several years after it was established, by the addition of a three-story brick building, which enabled it to care for about two hundred students. The enrollment in the female seminary was somewhat larger, the average number of girls boarded and educated being about two hundred and fifty.

The Cherokees provided a separate boarding school for their orphan children, which was first located at Tahlequah, but later their council bought a farm and erected a three-story brick building, near the Grand River, adjoining the present site of the town of Salina, which they designated as the Cherokee Orphan Asylum. This school continued to care for about one hundred fifty orphan boys and girls until destroyed by fire on the 17th day of November, 1903, during the noon hour. Some of the orphans were thereafter sent to the Whitaker Orphan Home at Pryor and others were cared for at Tahlequah.

The Cherokees also built and maintained a small boarding school, about four miles north of Tahlequah for the children of their former slaves, which was called their Colored High School.

During the Summer of 1909, as the time was approaching for winding up all tribal affairs, the female seminary and its beautiful grounds were sold to the state and is now known as the Northeastern State Normal School. The male seminary, after an existence of more than half a century, was finally destroyed by fire and its site sold for farming purposes. During almost the entire life of the two seminaries, they maintained first class high school courses, and their graduates rank with the most intelligent people of the state.

CREEK SCHOOLS

The tribal school system of the Creek Nation consisted of seven boarding schools for Indian children, three boarding schools for the descendants of their freedmen and sixty-five day schools. Nearly all of their boarding schools were established by the missionaries, but as the appropriations made by the Creek Council for their support slightly increased from year to year, the Creek authorities gradually began to assume control, until finally the

missionary boards found it advisable to withdraw their support, leaving the control of the schools entirely with the Creek authorities. Until quite recently, however, the Presbyterian Board of Home Missions supplied and paid the salaries of the employes of the Nuyaka Boarding School. The more intelligent class of Creeks claim that their schools were more efficiently managed by the missionary boards than by the tribal council.

TULLAHASSEE MISSION SCHOOL

The Tullahassee Manual Labor Boarding School has been one of the most important schools of the Creek Nation ever since its organization. It was first opened in 1842 under the auspices of the Presbyterian Board of Foreign Missions, the Creeks agreeing to contribute $50 per annum toward the expense of boarding, clothing and educating each Indian child. Rev. R. M. Loughridge was the first principal of the school. He was assisted by Rev. W. S. Robertson, who, in later years was placed in charge of the school. The school flourished for several years and many of its students gained prominence in the affairs of the Creek Nation. At the beginning of the Civil war it met the same fate which befell nearly all of the tribal schools, the employes of the school being compelled to flee the country.

In July, 1861, the Confederate Creeks notified the employes of the school that they must leave within twenty-four hours. Reverend Loughridge went with the Confederates to Texas. Miss Mills, Miss Vance, Miss Shepard and Miss Turner, employes of the school, went down the Arkansas River to Memphis and from there found their way to their northern homes. Reverend Robertson, with his family, went to Fort Gibson and there joined the Indian refugees on their way to Kansas.

During the war the buildings were converted into hospitals, barracks and stables, and were rendered almost unfit for any further use for school purposes. By 1868, however, the buildings had been overhauled and slightly repaired, and Reverend Robertson was placed in charge, with Leonard Worcester, Miss Nancy Thompson and Miss Mary E. Wilson as teachers. About this time, Mrs. Robertson, assisted by Mr. Perryman, a Creek missionary who had attended this school prior to the breaking out of the rebellion, translated a portion of the New Testament into the Creek

NUYAKA, CREEK INDIAN BOARDING SCHOOL

CREEK INDIAN BOARDING SCHOOL AT EUFAULA

language. A few years later, Mr. and Mrs. Robertson were ably assisted in their missionary work by their two well-educated daughters, Augusta R. (now Mrs. Moore) and Alice M. Robertson, who but recently attained the proud distinction of being the only female member of the present Congress.

NUYAKA MISSION

The Nuyaka Boarding School, located out in the country, twelve miles west of Okmulgee, has been regarded from its beginning as a Presbyterian school. It was established and for many years maintained by the Board of Home Missions, and after the Creek Council assumed control of their schools the Presbyterian Board was still permitted to manage Nuyaka.

EUFAULA HIGH SCHOOL

The Creek Boarding School located on the hill overlooking the City of Eufaula was the most pretentious of all the Creek schools. They called it their high school although its course of study was limited to the common school grades. For many years it was attended by both sexes, but later was made a school for boys only. About fifteen years ago it was converted into a school for Creek girls and is still maintained as a female boarding school.

EUCHEE MISSION

A good many years ago the Creeks established a boarding school in the eastern suburbs of Sapulpa, especially for the Euchee branch of their tribe. For a number of years none but Euchees were permitted to attend this school, but as they seemed somewhat indifferent about sending their children away from home, the school was not always filled to its capacity and Creek children began to be admitted. As a result it ceased to be regarded as a school for Euchees only, and thereafter all Creeks were admitted, regardless of clan distinctions.

OTHER BOARDING SCHOOLS

The other boarding schools of the Creek Nation were the Wealaka Mission, the Cŏweta Mission, the Wetumka Mission, and

the Orphan Home at Okmulgee. Each of these schools provided for from 50 to 75 pupils. For their freedmen, the Creeks maintained the Pecan Mission, seven miles west of Muskogee, the Colored Orphan Home, and about thirty years ago, the buildings at Tullahassee were converted into a school for freedmen. All of these tribal schools have been abolished except the high school at Eufaula, and the Nuyaka and Euchee Boarding schools.

In addition to these boarding schools the Creeks maintained sixty-five day schools. The Indian children are now presumed to have access to the public schools, with the whites, but many of them are not enrolled, and others are very irregular in their school attendance.

CHAPTER XVIII

INDIAN TERRITORY ROUGH RIDERS

LIEUTENANT THOMAS TELLS OF THEIR BRAVERY—ROOSEVELT DAY IN MUSKOGEE

On April 27, 1898, Judge John R. Thomas of the Muskogee United States District Court received the following telegram from Gen. R. A. Alger, Secretary of War:

"We want 175 picked men, good shots and good riders, for Colonel Wood's mounted rifle regiment, arms, mounts and equipment to be furnished by the United States at the rendezvous of regiments. When can you have them ready for muster and where?"

The number of Rough Riders called for was enlisted within two weeks. Lieutenant Capron was chosen captain, and after a dinner was given them on the evening of May 14, the 175 volunteers started for San Antonio, Texas.

As these volunteers were being enlisted for the Spanish war, First Lieut. John R. Thomas, a son of the judge and an officer in the Regular army, was ordered to Muskogee to assist in mustering in the company recruited here. Within two months after they enlisted, the Rough Riders from this community had landed in Cuba, east of Santiago, and were marching toward the interior, ready and anxious to meet the Spaniards on the battlefield.

Upon his return to the United States after being severely wounded, Lieutenant Thomas gave the following account of the Rough Riders in battle:

"The Rough Riders were landed at Baiquri, east of Santiago, on the morning of June 22. We were among the first to get ashore, the Twenty-second Infantry preceding us. The men were wild for a fight, and this feeling was not wanting in the officers. I guess we have been given the best of it all along, for we surely were highly favored in being allowed to join the first army of

invasion. The same good fortune followed us when we got to Cuba. We were given the first chance for a fight, this high compliment being paid us in allowing us to be the advance guard. My troop got even a greater share of honor by being the advance of the regiment. About 3 o'clock the next day we were given the anxiously awaited command to march. We were to get to Siboney. Before dark that night we covered eleven miles over the roughest kind of mountain trail. The growth of wild pineapple and cactus reached almost over the men's heads. The malaria and yellow fever had not touched any of the men then, and they were in great spirits. That night we camped in a valley back of the hills along the coast. We rested and slept as much as possible under the circumstances, for drenching rain, land crabs, immense sand fiddlers and the heat, followed by the damp chilling air of the latter part of the night, were not conducive either to comfort or rest. Sleep was almost out of the question. The advance forces were composed of the Rough Riders, the First Regular Cavalry, and the Tenth Cavalry, under command of General Young. We were on the flank, several miles inland from the main column, to prevent a surprise. Our march was over a mesa, or rather in the foothills, while the other troops were further up the mountain sides. The rapid advance of our forces had taken the Spaniards by surprise and they were retreating toward Santiago when we came upon them. We got up early on the morning of June 24, the day of the fight. At 4 o'clock we ate our hastily prepared breakfast of hardtack, bacon and coffee. We knew that we were getting near the Spaniards. Several Cubans had reported at headquarters that the enemy was not far away. As we went along the mountain trail we passed the Twenty-second Infantry, which had been doing outpost work during the night. We had to go up the trail single file. Our troop was the advance guard and we expected to meet the enemy every minute.

"All that talk about our being surprised and Troop L ambushed is without the slightest foundation. Capron had deployed his men and knew where the Spaniards were, and was after them. Being the advance, we were first to find them and naturally suffered severely. Captain Capron was out with five of the troopers somewhat in advance of the rest of the company. We had seen the Spaniards earlier in the morning about three-quarters of a mile distant. They had taken possession of the buildings of a single

sugar plantation in the valley to the left. The trail we were advancing along was over a mesa. Thomas E. Isbell, one of the Cherokee Indian boys, was heading the little advancing party of five. They had just reached a turn in the trail when he suddenly spied the first Spanish picket some distance in advance of him. Quick as lightning his Krag-Jorgenson plugged the Spaniard, and he never moved after he fell in the trail. We were within sixty feet of the Spanish by this time when they opened up on us.

"The rest of the company was brought up to the advance guard on a dead run and deployed along the firing line. The Spanish front was in the shape of a crescent, and our troop had got into the concave side of it. In less time than it takes to tell it, the Spaniards who were behind breastworks, rifle pits, and the thick chapparal, poured a terrific fire of Mauser bullets and rapid fire shot into us. Hot? Well, I should say so. It was just as hot a hole as I ever hope to get into. We poured a good fire into the Spaniards to the right and left, and the other troops got into action in a hurry. They gave the Spaniards the benefit of some deadly cross fire, and we soon got them on the run. The First Cavalry, regulars, and the Tenth Cavalry, colored regulars, came up as our supports and did great fighting. We were in the fight fully half an hour before Captain Capron was hit. Perhaps ten minutes later, Hamilton Fish was killed. The fight was kept up at a terrific pace after that. We went in with sixty-four men, and after three days' fighting there were only twenty-nine men fit for duty. I was wounded some time after Captain Capron was killed. He was an ideal soldier, brave, chivalric, magnanimous and true. He was the idol not only of our troops but also of the entire regiment. Sergeant Fish upheld the traditional reputation of his family, and with a dash never excelled, died the ideal death of a true soldier. Second Lieut. Richard Cushing Day is a nephew of the gallant naval hero of the Civil war of Albemarle fame. He exhibited extraordinary coolness and courage during every minute of the battle of Guasimas, and at El Caney he did heroic work before he was wounded by a Mauser bullet through the arm and socket of the left shoulder.

"Chicago may well be proud of Walter Sharpe and Dallwyn Bell. Sharpe was one of the flankers thrown out to the right of the advance guard of our troop. He was about 100 yards away from the trail to the north as we were proceeding westward. The

way he went right to the front and poked his nose into the thicket looking for Spaniards was great stuff. Even the old campaigners from the Territory take their hats off to him now for his coolness. They had to follow the boy from down East, whom they had regarded up to that time with just a little condescension. He did great work all through that fight, and at San Juan and El Caney he displayed even more exceptional bravery. He hasn't been scratched up to date, though he had a pipe shot to pieces in his pocket and had several holes cut through his uniform. Bell did his share to convince the Westerners that the 'kids' as they called them, were there to fight. At El Caney, Bell was wounded by a piece of shell. His spine was badly hurt, but he went back to the trenches and pumped lead into the Spaniards three times after he had been ordered to the rear. It takes the Westerners to appreciate that sort of grit, and they rose up in the trenches and cheered him. Yes, Bell was ordered to the rear three times but he finished the day in the firing line. Isbell, who opened the fight, was the gamest man I ever saw. He was filled full of holes, being wounded seven times before he retired, and then walked four miles to a field hospital. He had a thumb shattered, two bullets through his scalp at the base of the brain, two in his body, and a bullet through his arm. There were so many gritty things done that day that it would be hard to pick them out. Sergt. Joe Kline was badly wounded and sent to the rear. He ran across a Spaniard sharpshooter in a tree firing at the wounded. Kline dropped his man the first shot and got a silver mounted revolver, which dropped from the Spaniard's pocket-belt as he tumbled from the tree, as a trophy. Kline is a Cherokee Indian and so is Private Ed Culver, another brave hero of Troop L. Then there is Thomas Francis Meagher, Jr., a grandson of Gen. Thomas Francis Meagher, George Seaver, Sergt. Tillman Dawson and—I might go on through the whole list trying to pick them out—every man of them showed himself a hero.

"It is a hard matter to give a connected story of the fight at Guasimas. Things happened so quickly and there was so much to do, that it was impossible to even have time to consider the great danger. We didn't have time to feel squeamish; we were pushed forward so rapidly that most of the men were so eager for the fight that it was infectious. It kept the officers pretty busy getting the men into place, and I didn't have any time to think much. I have

been asked a hundred times how it feels to get shot. Why, it doesn't hurt much at first. You hardly notice it after you get up from being knocked over by the impact of the bullet. The Mausers shoot hard, and the force stops most men. When I was hit it knocked me over, but I was able to get up quickly. The bullet drilled a clean hole right through my shin bone, tearing a good-sized wound as it came out through the flesh. One of the men helped me put a tourniquet on my leg, made of a strap from his canteen, and when I reached the field hospital I was in pretty good shape. I was reported dead several times, but managed to pull through without much trouble. All that I have left of my old uniform is the hat and coat. The trousers are somewhere near Guasimas, where they cut them off me to get at the wound."

Captain Thomas is still in the Regular army service, and took an active part in the late war with Germany.

The Indian Territory Rough Riders gained an enviable record in the war with Spain and after the war was over they were frequently complimented by Colonel Roosevelt for their bravery and excellent marksmanship.

His love for "my boys," as he designated the Rough Riders, prompted Roosevelt to stop at Muskogee, on his Presidential trip, April 5, 1905, which was termed:

ROOSEVELT DAY IN MUSKOGEE

It was an eventful occasion in Muskogee, as upon that day President Roosevelt passed through Muskogee and stopped at the Katy Depot long enough for 15,000 people to see him and hear him deliver a short address. A platform was erected in the center of Broadway at the railroad crossing, upon which he climbed from the rear end of his train. Dr. Bennett was marshal of the day and was assisted by Troop A, Indian Territory Volunteer Cavalry under Captain Farley. The reception committee, consisting of Mayor Rutherford, Judge John R. Thomas, C. N. Haskell, Gen. Pleasant Porter, Isaac N. Ury and Col. Clarence Douglas met the president on the platform and Judge Thomas introduced him to the enthusiastic audience. President Roosevelt began his brief address with a sympathetic reference to his acquaintance with Judge Thomas' son who was wounded in Cuba during the war with

Spain. He then told the audience that he looked forward hopefully to the day when they would have statehood and gave them some wholesome advice concerning the duties of the citizen of a state.

CHAPTER XIX

NOTED INDIAN TERRITORY MEN

SOME OF THE LEADERS IDENTIFIED WITH THE GROWTH AND DEVELOPMENT OF INDIAN TERRITORY: EVAN AND JOHN B. JONES—SAMUEL A. WORCESTER—ZACHARY TAYLOR AND JEFFERSON DAVIS—SAM HOUSTON—WILLIAM P. ROSS—CHIEF LEWIS DOWNING—JESSE BUSHYHEAD—CHIEF DENNIS W. BUSHYHEAD—THOMAS M. BUFFINGTON—NAPOLEON BONAPARTE MOORE—GEN. PLEASANT PORTER—ROBERT L. OWEN—J. GEORGE WRIGHT—HENRY STARR—J. BLAIR SHOENFELT—DANA H. KELSEY—TAMS BIXBY—WORLD'S GREATEST TRUST.

EVAN AND JOHN B. JONES

Rev. Evan Jones, a Baptist missionary, followed the Cherokees to their new home in the Indian Territory and performed faithful service, for several years, in educating and Christianizing the Indians. He honestly believed that slavery was wrong and did not hesitate to let his opinions upon that subject be known. As the Civil war approached he advised the Indians to remain loyal to the Government, but Southern sympathizers, becoming apprised of his acts, determined to get him out of the country. After an unsuccessful attempt to counteract their influence, he was compelled to leave the Territory, going in company with a band of Indian refugees to Kansas.

As early as 1844 he began to issue a monthly paper to aid him in his missionary work which he called The Cherokee Messenger, and which he continued to publish until the beginning of the war.

In his missionary work he was ably assisted by his son, John B. Jones. They were sincere friends of the Indians and their influence over them was scarcely excelled by any other missionaries.

Evan Jones died in 1873, and John's death followed about three years later.

SAMUEL A. WORCESTER

Rev. Samuel Worcester arrived at New Echota in 1828 and began his work as a missionary of the Congregational Church. He denounced the Legislature of Georgia for assuming to exercise jurisdiction over the Cherokees and refused to take the oath of allegiance to the state which the Legislature required of all persons settling upon the Indian Reservation. He was arrested, tried, convicted and sentenced to a term of four years in the penitentiary of Georgia. As he arrived at the doors of the penitentiary, the governor of the state offered to pardon him and his seven associates, if they would promise not to return to the Indian Reservation, but his offer was refused by Reverend Worcester and Doctor Butler, and the doors of the prison were closed behind them.

When Lewis Cass, President Jackson's secretary of war, appealed to the governor of Georgia to release these missionaries, the latter replied that his state could not, without disgrace, be coerced by the threatening attitude of the Supreme Court of the United States, or by any other power under heaven, to liberate these men. But the governor further replied that at the first moment that Georgia could be relieved from threats and menace, and her authority looked up to and respected as it ought to be, by these men, they would be set at liberty. Notwithstanding the defiant attitude which the governor had assumed against obeying the mandate of the Supreme Court of the United States, ordering the missionaries released from prison, he finally relented, and Reverends Worcester and Butler were given their liberty on January 15, 1833.

Reverend Worcester resumed his missionary work with the Cherokees and accompanied them to Indian Territory. He located at Park Hill, near Tahlequah, where for several years he was in charge of one of the first and best of the mission schools. In connection with the Park Hill Mission, he established a printing press and printed portions of the Bible, a primer, hymn book and an almanac in the Cherokee language.

ZACHARY TAYLOR AND JEFFERSON DAVIS

Among the notable personages who were located at Fort Gibson at different times during the past century, was General Zachary

Taylor, who was stationed there for a brief period beginning about 1833. Under him was a dashing young lieutenant, a graduate of West Point, by the name of Jefferson Davis. Davis became infatuated with the general's daughter and married her, contrary to the wishes of her parents. The marriage caused an estrangement between the two army officials and Davis soon resigned his commission and went to Cuba. At the outbreak of the Mexican war, General Taylor was ordered to cross the Rio Grande, where he gained fame by his numerous victories over the Mexicans. In 1846 Davis organized the First Mississippi Regiment of Volunteers, of which he was elected colonel and sent to Mexico. The two met in the famous battle of Buena Vista where General Taylor was in command and the bravery displayed by Davis caused the general to forget their past differences and friendship was restored between them at the close of the battle. It is said that General Taylor took Davis by the hand, warmly congratulated him upon his gallantry and remarked that his daughter (who, in the meantime had died) must have known him better than he had. The battle of Buena Vista made Taylor President of the United States in 1848 and doubtless the gallantry displayed by Davis did much toward making Davis President of the Southern Confederacy in 1861.

SAM HOUSTON

Among the distinguished persons who resided for a greater or lesser period at Ft. Gibson, Col. Sam Houston was one of the most noted characters. He was the governor of Tennessee in 1830 and made a good record in that position. On account of family difficulties he left that state, was divorced from his wife and in 1833 came up the Arkansas River on a boat and landed at Webbers Falls. He had known some of the Indians back in Tennessee and soon after arriving in the Territory, he met his old friend Chief John Jolly, at whose home Talihina Rogers resided. He had known her years before and a courtship began between the two which culminated in their marriage at Ft. Gibson. With his Indian wife he settled down at the Fort and for a while conducted a trading store. Within a year, his wife died and being of a roving disposition, he soon found his way into Texas, where he gained fame and honor in the war with Mexico.

WILLIAM P. ROSS

William P. Ross was born near Chattanooga, Tenn., August 28, 1820. His father was a Scotchman and his mother a Cherokee, a sister of the famous Chief John Ross. He was a favorite nephew of the old chief who assisted him materially in acquiring an education. William attended several Eastern schools and finally completed his education at Princeton. The emigration of his people to the Indian Territory took place while he was attending school and he was not permitted to take an active part in the stirring events of that period. Upon graduating at Princeton College, however, he visited the old Cherokee home in Tennessee and from there found his way to Tahlequah, where he cast his fortune with his own people in their far west home. He was a stanch friend and supporter of his patron and uncle, Chief John Ross and rendered valuable assistance to the chief during those troublous times. He taught a Cherokee School for a while and later was chosen as editor of the Cherokee Advocate. Upon the death of John Ross in 1866 he was appointed chief for the unexpired term.

In 1874 he was again appointed to succeed Chief Lewis Downing, who died before the expiration of his term. He was sincerely interested in the education of his people and aided very materially, in elevating the Cherokee School system to the high standard which it attained. During his later years he became interested in newspaper work at Tahlequah, Vinita and Muskogee. He died on July 28, 1891, at the age of seventy-one years and was buried at Fort Gibson. He was a true friend of his race and tribe and his memory will ever be revered by all who remember his good deeds.

CHIEF LEWIS DOWNING

After William P. Ross had completed the unexpired term of his uncle, Chief John Ross, who died in 1866, Lewis Downing was elected as chief and held that position until his death in 1873. During the Civil war Downing joined the Union army and attained the rank of lieutenant colonel. He was a man of quiet disposition but sincerely interested in the welfare of his people. For many years past the two great political parties of the Cherokees have been known as "The Downings" and "The Nationals."

JESSE BUSHYHEAD

Jesse Bushyhead was one of the faithful friends and counselors of the Cherokees during the trying days of their migration from Georgia. His Cherokee name was Unaduti. He was born in Georgia in 1796 and upon arriving at the years of manhood, he located in Tennessee. He received a fairly good education and through the influence of Evan Jones, the devoted Baptist missionary, he became a Baptist preacher. When the Cherokees were compelled to surrender their Eastern possessions, he personally conducted the removal of 1,200 of them to the Indian Territory, during the year 1838. Upon arriving in their new western home he located in the eastern part of the Cherokee Nation, near the Arkansas line, where he developed a farm. He continued his missionary work and rendered material assistance in translating portions of the Bible into the Cherokee language. After the Act of Union between the eastern and western Cherokees was adopted (July 12, 1838) he was chosen as chief justice of the Supreme Court of the United Cherokees. He was a good interpreter and although not a profound lawyer, yet he was recognized as a man of good common sense and judgment. He died at his home in the Cherokee Nation on September 17, 1844. His eldest son, Dennis W. Bushyhead, served as chief of the Cherokee Nation from 1879 to 1886.

CHIEF DENNIS W. BUSHYHEAD

Dennis W. Bushyhead was born near the present site of Cleveland in the State of Tennessee, on the 18th day of March, 1826. He was the eldest son of Jesse Bushyhead, the native Baptist preacher. He attended a Presbyterian Mission school near his native home and later studied under Evan Jones, the Baptist missionary. In 1838 he assisted his father in supervising the removal of a large body of Cherokees to their wild west home. In 1849 he left his Indian Territory home and joined the great scramble for gold in California. He remained in California for nineteen years, but his longing for home and friends brought him back to Tahlequah in 1868. He escaped the bitter suffering and factional feuds which afflicted his people during Civil war days and upon his return from California did what he could toward healing the bitter animosity which the war had engendered. He soon became prominent in

Cherokee affairs and in 1879 was elected Chief of the Nation, which position he held for two terms or eight years.

In 1890 he was chosen as one of the tribal commissioners to negotiate the sale of the Cherokee Strip. His death occurred in Tahlequah on the 4th day of February, 1898.

THOMAS M. BUFFINGTON

Thomas M. Buffington was born near the Town of Cincinnati, in the State of Arkansas on the 19th day of October, 1855, and received his education in the schools of the Cherokee Nation. During his early manhood he studied law and was elected as Judge of the Delaware district in 1889 and two years later he was elected as a member of the Cherokee Senate. In 1898 he was chosen Chief of the Cherokee Nation which position he held for four years.

His duties and responsibilities were much greater than those of the average Indian Chief by reason of the fact that during his term of office the culmination of the transition of his people from their tribal state to their present condition occurred.

Many questions arose in those days which the Indians, especially the full-bloods could not understand and Chief Buffington was of great assistance to them in arriving at an understanding of the problems and conditions which the abolition of tribal government and tribal land titles presented.

NAPOLEON BONAPARTE MOORE

Judge N. B. Moore was a prominent Creek whose name will long be revered by those who knew him. He was born in Alabama on January 8, 1828, and came to Indian Territory when but a young lad and spent his boyhood days on a farm. At the beginning of the Civil war he enlisted in the Confederate army and became a lieutenant in Col. D. N. McIntosh's regiment of Indians. After the war he returned home and was soon chosen to represent his town in the Creek Council and a few years later was called to fill the office of Supreme Judge of the Creek Nation. In 1889 he was selected as a delegate to Washington to represent Creek interests. He was sincerely interested in the education and welfare of his people and devoted much of his time to performing the duties of various honorary positions which were thrust upon him. During

GENERAL PLEASANT PORTER
Chief of Creek Nation and general of Confederate Indian troops

his later years he served as treasurer of the Creek Nation and disbursed the last tribal funds which came into the hands of the Creek officials. He died at Battle Creek, Michigan, October 10, 1911, where he had gone for medical treatment and was buried at his Indian Territory home, leaving his widow, Mrs. Augusta R. Moore, as his only heir.

Mrs. Moore is a daughter of Rev. W. S. Robertson, one of the early Missionaries and a sister of Miss Alice M. Robertson.

GENERAL PLEASANT PORTER

General Pleasant Porter, who served for about eight years as Chief of the Creek Nation was one of the most remarkable Indians of the Nineteenth Century. He was born and reared in the Indian Territory, near the present town of Coweta and although his opportunities for securing an education were very limited, yet by close observation and thoughtful reading, he became well informed, in fact well educated. His father was a white man and his mother was a Creek, the daughter of an old-time Chief. When the Civil war broke out, he cast his fortune with the South and attained the rank of first lieutenant in the Confederate army. After the war he married a daughter of Judge Keyes of St. Louis and settled down among his people in the Creek Nation. He moved to Muskogee when the town was in its infancy and resided here until the day of his death. He had faith in the future of Muskogee and very willingly assisted in promoting a number of public enterprises. He served as Chief of the Creek Nation for about eight years and at a time when his people needed wise and sympathetic leadership.

When the various tribes were refusing to make any agreement with the Dawes Commission concerning the allotment of lands and the abolishment of their Governments, he had the foresight to see that a change was inevitable and had the courage to advise his people to treat with the Dawes Commission. He acquired his title of "General" during the Green Peach war when he was placed in command of the tribal forces by Chief Checote to put down the rebellious Creeks led by Isparhecher.

General Porter was a good speaker, a very entertaining conversationalist and a close student of men and affairs. He died

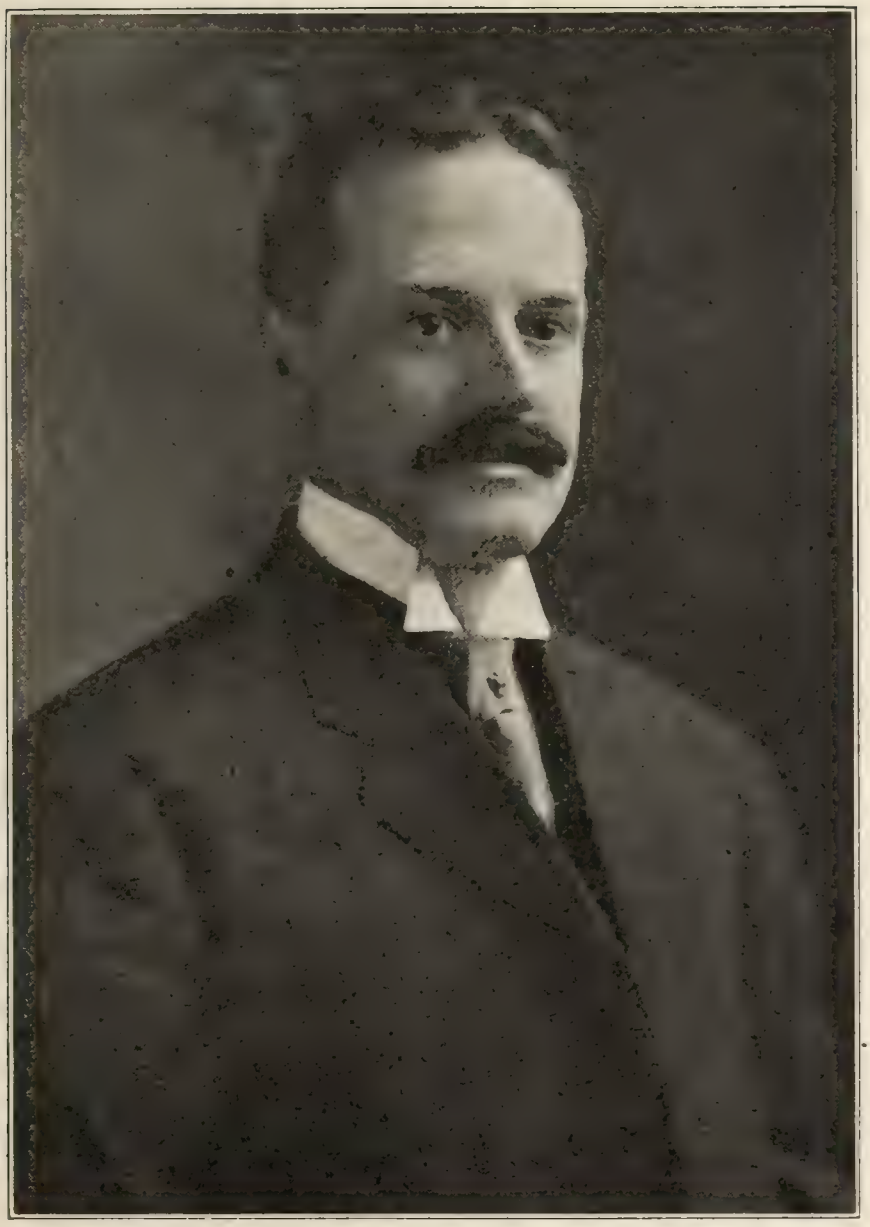
on September 3, 1907, and was buried near his country home at Wealaka, forty miles northwest of Muskogee.

ROBERT L. OWEN

Robert Latham Owen, one of the foremost men of the United States enrolled as an Indian, was a native of Lynchburg, Virginia, his father being a white man of Scotch descent and his mother a Cherokee Indian of one-sixteenth degree of blood. Robert was fortunate in being able to secure a liberal education during his minority, which was completed by a course in Washington and Lee University at Lexington, Virginia. Upon becoming of age, about 1880, he emigrated to Indian Territory and taught school for a while in the Cherokee Nation and was appointed as secretary of the Cherokee Board of Education, in charge of all of the Cherokee schools. During President Cleveland's first term he was appointed as Union Agent of the Five Civilized Tribes but resigned voluntarily from that position before the expiration of his term of office. In the meantime, having become well versed in the law and having made a special study of the numerous treaties which the various tribes had entered into with the Federal Government during the past century, his services were sought by the tribal officials in many important dealings which they had with the authorities at Washington. At various times he was employed by the Choctaws, Chickasaws, Creeks and Cherokees as their attorney and special agent in important cases before the Interior Department and before the U. S. Supreme Court.

In an extended interview with the committee on Territories of the House of Representatives at Washington, in 1904 he opposed the proposition to unite Indian Territory and Oklahoma Territories into one state, claiming that the restrictions should be removed from all Indian lands except homesteads, so that the land might soon become taxable and Indian Territory be eligible to separate statehood, but when Congress decided to combine the two Territories into one state he gave the new state his hearty support.

Soon after statehood was accomplished he was chosen as United States Senator which position he still retains. In the senate he has made a special study of national finances and took a prominent part in shaping and enacting the National Reserve Bank law.



HON. J. GEORGE WRIGHT
First U. S. Indian inspector, at present in charge of Osage Tribe

J. GEORGE WRIGHT

J. George Wright, now about sixty years of age, has been in the United States Indian service from his boyhood days to the present time. In 1883 he was employed as clerk in the Rose Bud Indian Agency in South Dakota. Dakota was a pretty wild country in those days, and the Indians were inclined to take to the war-path upon the slightest provocation, but young Wright displayed such good tact in his intercourse with them, that at the age of 29 he was appointed by President Harrison as agent for the Sioux tribe, which then consisted of 7,500 Indians, only partly civilized. In 1896 he was appointed as United States Indian inspector and in 1898 was assigned to Indian Territory, with headquarters at Muskogee. At that time Indian Territory had no form of government except the separate governments of the Five Civilized Tribes which were rapidly approaching dissolution. So far as the authority of the Federal Government was concerned, he for the ten succeeding years, was practically governor of Indian Territory. In many respects his word was law, and although he was confronted with many knotty, vexatious problems, his life-long experience in the Indian service, which gave him a thorough acquaintance with the red tape rules and regulations of the Interior department, and his scrupulous integrity and devotion to duty, enabled him to perform his onerous duties with credit to the Government and with honor to himself.

Several years ago he was placed in charge of the Osages in Northern Oklahoma and he is now the watchful guardian of the affairs of that exceedingly wealthy tribe.

HENRY STARR

Henry Starr, a young outlaw who, for several years led a spectacular career, made his home with his mother at Fort Gibson.

For several years he was leader of a band of outlaws whose specialty was train robbing. He was twice convicted of murder and sentenced to be hanged, but in each case his attorneys succeeded in securing a reversal of the judgment against him and he was given short terms of confinement in the penitentiary. His exploits covered the States of Colorado, Kansas, Missouri, Arkansas and Oklahoma and Indian Territories.

One of his first murders was the killing of Floyd Wilson who tried to arrest him for robbing the express office at Nowata.

He had previously been convicted on at least two charges of robbery, and two of his pals, Alf Cheney and Kid Wilson, had been sentenced to serve twenty-five years in the penitentiary. Later Starr was sentenced to a term of seven years on a charge of robbery at Pryor Creek. During his numerous terms of confinement he devoted much time to reading and study and acquired a fairly good education. His uniformly good conduct usually resulted in shortening his terms of confinement. After many escapades he was fatally shot only a few months ago while in the act of robbing an Arkansas bank.

J. BLAIR SHOENFELT, INDIAN AGENT

J. Blair Shoenfelt was appointed United States Indian Agent on July 1, 1899, to succeed Col. Dew M. Wisdom, who although appointed during the second Cleveland administration, was permitted to hold over during the McKinley administration from March, 1897, to July, 1899, although he had tendered his resignation soon after McKinley's inauguration.

Mr. Shoenfelt was a native of Blair County, Pennsylvania. He was educated in the schools of his native state and taught school for a while in his native county. After completing a course of study in law he emigrated to South Dakota, where he engaged in the practice of law for some time. He arrived in Dakota while it was still a territory and took an active part in securing statehood for South Dakota. He was chosen as a member of the first constitutional convention of that state and took an active part in framing its constitution. After statehood he served for four years as judge of his county.

He arrived in Muskogee on the first of July, 1899, just at the time when allotment of Indian lands to the members of the Five Civilized Tribes was beginning and his duties and responsibility as Indian Agent increased rapidly during his term of office. A large portion of the moneys received from the sale of Indian lands passed through his hands. He collected millions of dollars in rents and royalties belonging to the Indians and upon him devolved the unpleasant duty of collecting the tribal taxes which were imposed upon white settlers, the collection of which was vigorously opposed by the white people.

Mr. Shoenfelt resigned the position of U. S. Indian Agent on the first day of July, 1905, and was succeeded by Dana H. Kelsey. During the last year of his term of office, Mr. Shoenfelt collected over three million dollars of Indian moneys from various sources, all of which was properly accounted for by him. He resigned to engage in other business and at this time he is interested in colonizing a large tract of land in South America.

DANA H. KELSEY

Dana H. Kelsey was appointed as Indian Agent of the Union Agency on the third day of July, 1905, to succeed Mr. J. Blair Shoenfelt. Mr. Kelsey had had excellent training for his new position, as for several years previous to his appointment he had served as chief clerk in the office of the United States Indian Inspector for Indian Territory, and was familiar with conditions in the Territory. He was an efficient clerk, an expert stenographer and possessed the ability to grasp and retain the details of the work of his office in a remarkable degree. He was one of the most efficient federal officials ever sent to the Indian Territory.

TAMS BIXBY

Tams Bixby was one of Muskogee's most valuable citizens. He was born in Staunton, Va., on the 12th day of December, 1855, and when he was scarcely a year old, his parents emigrated to Stillwater, Minn., three years before Minnesota became a state. After a short residence there and in St. Paul and Hastings, the family settled at Red Wing, Minn., which to this date has been regarded as the home town of the Bixby family. As a boy, Mr. Bixby attended the rudimentary schools of that day and worked in his father's bake shop. Later, he managed a hotel for awhile, but in the meantime he had acquired an earnest desire to become an editor. At the age of 30, he began his newspaper career by establishing a weekly paper called the Red Wing Sun. Later, by combining two or three small papers, he formed the Red Wing Republican, which became quite a factor in the political campaigns of Minnesota. He took an active part in politics and held many positions of honor as well as emolument. Wherever he went and in whatever work he engaged, he displayed unusual energy, tact and ability.

In 1897 he came to Muskogee as a member of the Dawes Commission, was soon designated as the acting chairman of that body and upon the death of Senator Dawes, he became chairman of the commission. He remained at the head of the Dawes Commission until 1907, when he voluntarily resigned and took charge of the Muskogee Daily Phoenix. While he will long be remembered by the people of Muskogee for his many kind, unselfish deeds, and his active support of many good measures, the greatest monument to his memory is the Free State Fair of Muskogee, which under his supervision has become one of the greatest expositions in the Southwest.

He died in Kansas City on January 17, 1922, while returning home from California, where he had gone with the hope of recovering his health, which had been gradually failing for the past two years. His body was brought to Muskogee, where a quiet, but very impressive funeral ceremony was held, and his burial took place at his former home in Minnesota.

The editor of the St. Paul Dispatch, a personal friend of Mr. Bixby, paid the following tribute to his memory in the editorial department of that paper:

"WORLD'S GREATEST TRUST

"Mr. Richardson today recalled the success which invariably attended Mr. Bixby's endeavors, no matter which way he directed his interest.

" 'Mr. Bixby conducted seven state campaigns in Minnesota,' he said, 'and never lost any of them. Even after he left Minnesota, he returned three times at the request of the Republican National committee to take charge of things in Minnesota, and his last state campaign was in behalf of the candidacy of Governor Van Sant.

" 'He made a success of everything he went into. At the head of Republican politics in Minnesota, as president of the Bemidji Townsite and Improvement Company, as state secretary of the Y. M. C. A. and in everything to which he devoted his interest, he made a success.'

"St. Paul friends today recalled the splendid eulogy paid Mr. Bixby on the floor of the House of Representatives by Representative Sherman, later Senator from New York, when the affairs of the Dawes Indian Commission were being concluded. He recalled

that it was the largest trust ever administered in the world so far as there was any record, and it had been administered by Mr. Bixby with less expense, considering the vast amounts involved than any other trust on record.

"Representative Sherman proclaimed him 'the most wonderful executive' with whom he had come in contact in connection with government affairs."

CHAPTER XX

THE INDIAN NOT SATISFIED WITH WHITE MAN'S CIVILIZATION

HUMAN NATURE NOT CHANGED BY LEGISLATION. EDITORIAL FROM MUSKOGEE PHOENIX, MAY, 1896—GLOBE-DEMOCRAT ARTICLE, AUGUST, 1898—TIMES-DEMOCRAT, NOVEMBER, 1921—CREEK MANIFESTO AGAINST DAWES COMMISSION.

The Indians had scarcely become settled in their wild Indian Territory home when agents of the Government began to visit them again, seeking modifications of their treaties. The Cherokee Advocate, in October, 1844, announced the coming of a new commission from Washington to consider the proposition of dividing their lands. The Advocate states that nine-tenths of the Cherokees are opposed to any such scheme, and that it would be impossible for such commission to accomplish anything, as it would have no power to demolish a tribal government, subvert its laws or tear asunder brothers, kindred and countrymen.

Numerous delegations from Washington visited the Indian Territory at various times prior to the coming of the Dawes Commission, some of them endeavoring to persuade the Indians to sell their lands, while others tried to induce the Indians to divide or allot their lands to their individual citizens, abolish their tribal governments and their system of holding their lands in common, and adopt the white man's civilization. The Indians, especially the real Indians (full-bloods) were steadily and persistently opposed to any change.

During the month of December, 1874, another commission was sent out from Washington to treat with the Indians. They met the Chiefs and leading men of the Five Tribes at Muskogee and spent several days in negotiating, but accomplished no definite results. At the close of the convention, John Jumper, a full-blood Seminole, voiced the sentiments of nearly all the Indians present, in the following words:

"Our people who have heard your remarks know the ideas of those who claim to be our friends, I think, and understand the remarks in full. There may be some who think them good. They do not suit me at all. I am speaking what my heart says, and for my people. I feel, from your remarks, that I am on a log in deep water, very deep, on the tip end of the log, and I fear I will drown. I think, under your proposition, my people will drown. I differ from you. I can say for myself, that I rely on our treaties; they are strong. If not strong enough to protect us, nothing can. If the United States wishes to break the treaty, it can do so. I will take no action to break the treaties we already have. I hope no action will be taken."

Certain self-constituted friends of the Indian learned that the mixed bloods and the white adopted citizens had taken possession of the best agricultural lands and had crowded the poor full-bloods back into the rocky hills where they could raise no crops but the poor full-blood was not complaining of this treatment he was receiving. He preferred the woods and streams to the naked prairies and valleys. He preferred to depend upon game and fish for his subsistence, rather than upon the plow. His type of civilization suited him and he had no desire to exchange it for that of the pale-face. In all of the white man's efforts at negotiating and treaty making with the Indians, it would seem that one important fact had been overlooked, viz., that the character of a man or a race of men cannot be suddenly changed by legislation. Habits, customs and ideals of life, founded upon centuries of environment, cannot be cast aside in a day. Hence, it was not unreasonable on the part of the Indian, that when the white man came importuning him to cast aside his habits, customs and mode of living and adopt the new and more responsible, more strenuous system of civilization, he regarded it with suspicion and distrust. He preferred to bear the ills that he had, rather than fly to those of which he knew nothing.

Isparhecher, Chief of the Creeks, at a conference between Creeks and Cherokees held October 12, 1897, at Okmulgee, to discuss the matter of breaking up their tribal institutions, spoke as follows:

"I wish we could get a picture, drawn by some great artist, who has a soul, representing the last of the Indian race; the last of the aborigines who once owned all of this country; representing

the landing of Columbus and how he was received by our race with open hearts and outstretched hands. Then beside that picture I would like to place one, made by that same artist, representing the white man's ingratitude and the Anglo-Saxon greed; representing the vast domain ceded by our race to those people; and a little spot we now occupy, should be placed in the picture, to remind them of broken promises and false pledges, made to a weak people; to remind them that they now seek to smite the hands of those who once gave them bread, and now wish to drive us even from this little spot by harsh laws and compulsory processes, to God only knows where. And further, there should be drawn on that same canvas, the picture of our race, once proud and happy, but now forsaken, homeless, penniless wanderers on the face of the earth. Yes, homeless in their own God-given country. Such a picture might touch the emotions and hearts of some of our white brothers in the states who may have some tender recollections of us and remember us now in our distress and help to stay the despoiling hand.

"The treatment of the Indian race in North America, when traditions are handed down and when history is written, will be the most heartless, blackest, most ungrateful and cruel pages ever penned by mortal man. It is a pity that our children may read it."

When in September 1897, the Dawes Commission succeeded in concluding an agreement with the Creek delegates Chief Isparhecher submitted the following message to the Creek Council concerning it:

"I hereby transmit the report and treaty recently concluded by your commissioners with the commissioners on the part of the United States for your consideration. It will be observed by you that it provides for the allotment of our lands and the extinguishment of our tribal titles. I regard this feature as being very dangerous and therefore very objectionable. Allotment of lands to Indians has heretofore proved disastrous in every instance, and is sure to result likewise with us when we try it. It is a system of holding lands entirely new to our people. Some of us, however, tried the experiment back in Georgia and Alabama a little over half a century ago, resulting in our final removal therefrom. My advice is never to try it again. Our system of land tenure has proven successful and satisfactory to us through all the years of our tribal existence. Never have we had a homeless wanderer dur-

ing all that time, nor are we likely to have one so long as we continue to hold our lands as we do now. We now hold our lands by the united power of two governments, general and local.

"By allotment we substitute the power of one individual for the power of our local government. Each one of our citizens will then have to employ the protective power over his realty that has been afforded by the local government. In other words, every citizen must take upon himself the duty of protecting his home that is now being done by the combined wisdom and strength of the Muskogee Nation. Not only so, but he assumes the responsibility of coping single-handed with the avaricious land sharks of the American Continent. Many of the shrewdest and most enlightened citizens of the United States were not able, single-handed, to protect their homes from sharpers. We have now no lawsuits about land titles, for our land title is not disputable, and never will be until we allot our lands. Then the courts of the country will be thronged with such suits, just as they are now in Oklahoma Territory. We now pay no tax on our land and never will until we allot it. Then the tax gatherer will come as numerous as in Oklahoma. These things will inevitably follow the allotment of our lands. I therefore advise you to weigh and calmly consider these facts before you accept this treaty. I think it is far better for us to stand firmly by the treaties we now have and plead the justice of our cause by all lawful and honorable means, than enter into this agreement. I fail to see any betterment of our condition by this agreement, but on the contrary I see much that will be to our detriment."

The following editorial in the Muskogee Phoenix of May 21, 1896, shows the white man's anxiety and impatience at the slowness of Congress to relieve the situation:

"The Indian Territory stands practically defenseless in the struggle for protection of her own interests. She is and has been, since first formed, at the mercy of outsiders—an easy prey for designing politicians and unscrupulous law makers. In the division of spoils she is forced to accept what is parceled out to her and in the taxation for warfare she is bled to the full extent, while within her borders five tribes of civilized Indians pose in the attitude of independent nationalities. They in reality are the least independent people under the flag. Claiming the right to enact their own laws and carry on the functions of a sovereign

state, their laws, decisions and authority are handled with impunity by Uncle Sam, who heeds not their rights nor permits the enforcement of their legislative acts. Endowed, as the five tribes are, with much inherited wealth, they neither handle it nor control its use and must beg for the paltry sums that are doled out to them. Possessed of full and mature manhood they are both in the spirit and letter of the law held as wards of the general government, incapable of independent action on any line, balked by outside influence and outside prejudice until the entire Territory presents an anomolous condition that is paralleled nowhere else on earth.

"Within the borders of the Territory are many contending elements that add their force to the general melee and many inadequate, antiquated and corrupt systems that are in force to the detriment of the welfare of the law-abiding and intelligent citizens

"Dissatisfaction as to the status of the Territory is prevalent everywhere both at home and abroad and as a consequence that material prosperity which should be our portion is lacking and in the general scramble the Territory keeps on being a fighting ground and getting the worst end of the bargain every time.

"In the present Congress which is likely to adjourn without any Territory legislation, the Indian question has been handled from all sides in the shape of a score or more of bills prepared, introduced, and shelved. Learned men who, we have every reason to believe, are acquainted with the fundamental and pressing needs of this country, have stood on the floor of Congress and opposed measures that could in no way have inflicted injustice upon any class either Indian or whites. Legislation that was of paramount and universal benefit has been defeated upon technical grounds without a shadow of reason or justice.

"Distinguished senators, the avowed friends of the Indians, have defeated the very measures that would have done the Indians good.

"Such has been the history not only of the present Congress but of every Congress for the past twenty years. There seems to be a grim fatality attached to every measure that would be a universal blessing to the Indians and it dies before it becomes the law. In consequence the Territory goes on, retarded in growth and stunted in prosperity without any reason, justice or sense in the arguments of the few who believe in 'standing still.' The people,

about 400,000, are defenseless and continue at the mercy of outside influences and outside interests."

The following editorial appearing in the St. Louis Globe-Democrat in August, 1898, just after the Curtis Act became a law presents a fairly good view of conditions at that time, from the white man's standpoint:

"The most important of the Indian treaties made by the United States Government were abrogated in the Curtis law passed during the recent session of Congress. The abrogation of those treaties had become an imperative necessity. There has been for some years a strong public opinion in the West and Southwest demanding the opening of the tribal lands included in the Indian Territory, to settlement. There is but small public understanding of how strong and how persistent has been the pressure upon Congress and the administrative departments at Washington to nullify the treaties made by the five tribes. It becomes, therefore, a matter for public congratulation that while abrogation of the treaties has been made, the rights and interests of the tribes have been well safeguarded. There is no confiscation, but an opening of the country to large commerce and higher civilization. The trade of St. Louis will be a great gainer from the changed condition of affairs in the Territory, and that gain will involve the surrender of no vital interest or right which the Indians enjoyed under the old treaties. They yield practically nothing but the empty forms of government, which, in most of the tribes, were but instruments to serve the ends of the strong against the weak.

"The setting aside of these treaties may be regarded as the final renunciation of the treaty-making policy as a means of dealing with the Indian question. It is true that nearly a generation ago we made formal renunciation of that policy. In the first message to Congress from President Grant, he pointed out the undeniable fact, of which he had knowledge from his frontier experience, that the Indians were the greatest sufferers from these treaties. He had reference mainly to the seizure by the more powerful members of the tribes of the lands and other public utilities guaranteed to the tribes by nearly all such treaties. Certainly any one familiar with conditions in the Indian Territory for years past has been aware of the land monopolies and other oppressions of the many by the few. And the abuses of the power placed in the hands of tribal rulers by all such covenants with the

Government were greater in other tribes than among the Cherokees, Creeks, Choctaws, Chickasaws or Seminoles.

"General Grant urged upon Congress the necessity of putting an end to Indian treaties, and he insisted that that course should be taken at once. Up to that time we had made nearly 400 treaties with almost as many different Indian tribes. In the majority of cases these treaties had been enforced only in part and so far as they contributed to public advantage. Those clauses in them intended to protect Indian rights and interests could not be enforced any further than the Government might be disposed to give them enforcement. There was no military power behind them to give them force and effect, and like many other treaty stipulations, they were worthless for that reason. We began making treaties with the Indians in 1788, most of which we have scrupulously observed in the letter but not in the spirit. The Cherokees were the first tribe to develop a diplomacy with us on something like equal terms. Their diplomacy consisted of making a contract of so few words and such simple terms that there could be no question of its meaning. That treaty was practically the beginning of the Indian Territory as at present organized. The Creeks had a treaty even more clear and simple in its terms and more impervious to misconstruction than the one the Cherokees made, and the other three tribes in what became to be called the nation had covenants equally unassailable according to their plain meaning and intendment. All of these treaties were made in good faith by the Government. They were treaties of peace made by powers, neither of which had been vanquished. The ultimate success of the government was not open to doubt. But the wars had cost the country millions and could be made to cost it millions more. The lands then occupied by these Indians were the thing wanted. It was desirable that not only should the Indians be got off them, but as far away from them as possible. And 200 miles west of the Mississippi being then a magnificent distance from the settlements, the men who signed for the Government treaties so clear and unmistakable in their terms as these, were evidently willing to leave to posterity the task of finding a way around them.

"Posterity has found it a hard task, indeed. Not even the slave power, in the day of its dominance of national politics could find hope of erecting a state out of the territory to maintain the

balance against Kansas. Slavery was already established in the territory. Its institution in the state would have been easy.

"The sympathies of the Indians were with the South and its peculiar institutions. But they were not strong enough to lead the Indians to consent to any plan for colonization of their lands with a view to the erection of a new slave state. Nor were the slave leaders strong enough to break the public opinion of the North, against the violation of the treaties made with the Indians for the sole purpose of perpetuating the slave power in the Senate. Not until the war had been over several years did public opinion in that great section of the country in which the heart of the tribal lands lie, begin to murmur at the sequestration of such a magnificent landed estate.

"There had been tremendous emigrations to Kansas, Nebraska and Texas. There had been caravans to Idaho and Montana. The men who followed the new trails up to Fort Benton or those who followed the old one toward Santa Fe had running battles with bands of warlike Indians, who disputed nearly every inch of ground around them. Joined to the desire for new lands was hatred against the redskin and impatience with all forms of diplomacy which recognized such an enemy of the Government as having any rights white men were bound to respect. Then, and what was still more important, the lands in this great Indian empire were better and more beautiful than the lands found elsewhere. They constituted at that time a domain greater than any state in the Union with the single exception of Texas, and around every acre of which was drawn a deadline barring the white man out and reserving the land and the fruits thereof to the sons of Anak and their seed forever. In those days David H. Payne, of later Oklahoma fame, speaking to a crowd of Kansans, said as he pointed an eloquent finger to the south: 'There is the land of Eden filled with red angels. You are the snakes and I am the devil looking for a crack in the fence big enough for you to go through.'

"The entrance sought was hard to find. The treaties were too plain and unmistakable in their terms. The conscience of the country, which had often condoned the despoiling of the Indian under the color of a treaty which clouded his title, could not condone such a dishonorable repudiation of our own contracts as

was then proposed, nor tolerate any conquest of the Indian lands by force to arms.

"The Indian was then holding his lands sacred to himself and his posterity. But when Congress, at the instance of President Grant, formally declared Indian treaties to be worthless, and organized a new system of Indian management and control, the beginning of the end for the Indian Nation had been reached. The new system brought the Indians of the tribe into relations with the Government which it had never been contemplated in the treaties that they should hold. It made them, although never to the extent in which it affected others of their race, the 'wards of the nation.'

"They lost the independent character which must always, and everywhere, be a party of any sovereignty worthy of the name or which can be permanently maintained. It was in 1870 Congress resolved that no more treaties with the Indian tribes should be made, and from that day it has been understood, of course, that the abrogation of the treaties with all the five tribes was but a question of time. That time might not be reached yet, however, but for the Indians' unnecessary sacrifice, not to say surrender, of high privileges of independent citizenship. He has allowed himself to be patronized by the Government at Washington. He has grown as keen for Federal appropriations, and as cunning in his methods of bringing them to pass, as any of those whose enthusiasm for the old flag and an appropriation has become the staple of an old joke.

"But more potent than appropriations or pensions or Government bounty in any form, was the invasion of the tribal lands by whites, under arrangements with the Indian owners of the soil, allowing them special privileges. The squaw man became a part of the tribal life in the territory within a few years after the close of the war. Even before the war a few of them had found domestication there, but not in numbers sufficient to attract notice, particularly at a time when there was comparatively little pressure for the opening of new lands. But the squaw man waxed in numbers and in wealth. He became the progenitor of a sixth tribe in the Nation. And when, after the close of the war, and in the burning of the land fever, the men who sought homes for their families found themselves debarred from squaw man's paradise, the rage along the border grew to white heat. Many of the boom-

ers who were not married went into the forbidden land and became squaw men. Gradually other whites went into the territory to establish townsites under leases from the Indians and develop the great coal mines of the country. In this way the wedge was driven deeper. When the Missouri, Kansas and Texas Railroad was built across the territory there were many additions to the white population, but that population remained, of course, restricted by the heavy conditions attached to leaseholds when compared with the poor business facilities afforded by the country in its undeveloped state.

"The progress made in the development of the country under such unfavorable conditions has afforded the best evidence of what can be done when better conditions prevail. The crack in the fence surrounding the Indian Eden, which Payne sought so many years to find, was found at last in the western part of the Creek Nation, which had been ceded to the Creeks as definitely and as sacredly as any other part of their domain, but to which, under a technical interpretation of one of their later contracts with the Government, the title was claimed to have been extinguished. This was the land of Oklahoma, lying between the Cimarron and South Canadian rivers. It became to all the wandering boomer tribes in Kansas and all of the Southwest, a veritable Canaan lying between two Jordans. It took nearly ten years to break down the barriers which stood in the way of homesteading Oklahoma. The cattle interests, holding all of nearly 2,000,000 acres under very favorable leases from the Creeks, were powerful enough to long postpone the inevitable day. It was much more difficult, after the first opening had been made, to postpone others. Within two years the Iowa and Sac and Fox lands were made part of Oklahoma Territory. Four and a half years after Oklahoma was settled found the great Cherokee Strip and outlet occupied.

"The day that saw this greatest of all invasions, saw also that narrow strip of country called No Man's Land, long a refuge of criminals, made a part of Oklahoma Territory and pre-empted. Since then the Cheyenne and Arapahoe lands have become Oklahoma soil.

"With the loss of nearly half its original area the Indian Territory remains a most imposing figure on the maps.

"To use a boomer phrase, it would 'cut up' into fine farming lands. It would accommodate countless thousands of homestead-

ers after the Indian allotments were made. But the spirit as well as the letter of the treaties is to be observed by the Government, which in the Curtis law, guarantees to the Indians the possession of the land forever. First the law provides the ways and means for the division of the Indians' landed estate. Next, it decrees that the title of the individual Indian landholder after the division is made, shall be inalienable. He can lease or rent but not sell. In these restrictions the Government is going as far as it can go in confirming the Indian title to the soil. Its abrogation of the treaties is not as to the rights of individuals under them, but as to rights of sovereignty of the tribal governments over the individual.

"How far the safeguards it has attempted to throw around the Indian freeholder will be found effective, after the boom begins, it will take a few years to determine. There will be a mass of new questions for the Interior Department, and a mass of fresh legislation for the courts arising out of our efforts to deal honestly with the tribes. But none of these will delay the development of the country, which under the Curtis law will double its population within a year or two. There will be no such picturesque and warlike invasions as those of Oklahoma and the Cherokee Strip, but there will be a steady and rapid growth in population, in the development of the abundant resources of the country, and in the employment of the uiltities of civilized life."

But, finally, the Indian governments, laws and tribal institutions were all abolished, their tribal school funds and other funds are practically all distributed and their lands divided, or allotted to the individual members of the tribes, and the question may well be asked: Have the Indians been benefited by the change? There can be no doubt that the white man's conditions have been improved. He has been relieved of paying any further occupation tax into the treasury of the tribe; he has been able to secure title to the town lot which he formerly occupied by permission of the Indian; he has been permitted to purchase and secure title to a goodly portion of the Indians' lands, and has been relieved from all of the inconveniences and annoyances of the tribal laws; but the real Indian (the full-blood) is still an Indian, and is not satisfied with the change.

For instance: It is well known that the Cherokee Tribe of Indians has made more progress toward imitating or adopting the white man's notions of civilization, and it was but logical to con-

clude that they would take the lead in adjusting their affairs in conformity with their changed environment, but just as this is being written, the following article appears in a local newspaper:

"CHEROKEES WILL ADOPT CUSTOMS OF OLD TRIBAL DAYS

(TIMES-DEMOCRAT SPECIAL)

"Jay, Okla., Nov. 21, 1921.—Not unlike the exodus of the children of Israel from the land of Canaan to Egypt, some thirty-five families of Night Hawk Cherokees, are planning to move from their homes in this county and start life anew in Cherokee County.

"More than one hundred full-blood Cherokees, belonging to the Keetoowah Society will give up their homes here and make new homes in the Wild Horse Mountains in the extreme southeast corner of Cherokee County. Part of them will go from what is called the 'Brush Creek Fire;' others from the 'Yellow Locust Fire," and others from Saline Creek. But all of them are going to the same locality, and will organize themselves into a strictly Cherokee community in their new quarters.

Indians Are Dissatisfied.

"The cause of this move is not generally known, but for many years, in fact since statehood, there has been a growing dissatisfaction among the Cherokees, as to condition of government education, which has been thrown about them with the advent of statehood. The Cherokees are naturally a timid people, and their children have never felt at home in the district schools. While the state has extended every opportunity to these people, yet they can not enter into the spirit of government as other people do.

"The most apparent reason for moving is to make a community of Cherokees, and only full-bloods can have a part in the making of this new colony. It is hoped that the Government officials will recognize their needs more satisfactorily when they all stand together in one body and as a unit. Cherokees complain that it is hard to get recognition at this time. An application is made for funds from the Government and it requires sometimes nearly six months to hear from the application. Delay discourages the Cherokee. He does not understand why Uncle Sam's officials have to have so much 'red tape' about transacting business with them. They want a more expeditious system adopted.

Revert to Old Customs

"In their new colony, they will have their own school, and while it has never been hinted that they will teach their own language to their youth, yet as much could be surmised. They seem to want to get back to their old customs. They will be able to adopt their own religious practices without interference. It is their hope that after they have been established in their new home, the Government will grant them a reservation, as has been done in other parts of the country.

"It seems that their plans are made to leave at once—not later than Christmas. The Cherokees are now making boxes to ship their goods and household articles in. They are selling their corn, hogs and cattle at almost any price, in order not to be delayed in their plans to move to another county. They will rent or lease their lands left behind, and if any confusion arises about that, they will leave their farms unrented and unoccupied, so great is their desire to get moved before winter.

"This group of Cherokees constitutes a very striking and historical band of these people. It has been said that when their ancestors came West from North Carolina and Georgia, in 1837, they first settled near these present homes that are now to be vacated. The first Cherokees to reach the Indian Territory upon the order of removal by the United States Government were those who camped near Maysville, Ark., only ten miles from the Brush Creek settlement. Here, these people have lived all their lives. Their forefathers are buried in this locality. The Jumper graveyard, on Brush Creek, only a short distance from Jay, contains many unmarked mounds where rest the ashes of the earlier Cherokees, who made the first permanent settlements in the Indian Territory.

"The plan seems to be well financed. The official Keetoowah Society has notified the moving bands of Cherokees that there are funds to take care of their expenses. The officers of the Keetoowah Society, it is understood, are favorable to this move and are backing them with the necessary funds. Houses have already been provided for them in Cherokee County. It is understood that the officials of the Night Hawk Society will insist upon the Cherokees going to work, as soon as they reach their new homes. Everything will be held in common, as the custom was in their early

history. If a man works he can eat; if he won't work, they will kick him out. It is understood the new colony will be severe with drones.

"The distance to be traveled will be only about seventy-five miles, and the journey will be made overland through the country. The old wagons are being put in readiness, and every precaution is being taken not to delay the trip.

"The farewell 'Stomp Dance,' so famous in this section, was given last Friday night. There was a great, a very striking and historical band of Indians in attendance. Many white people from Jay attended the ancient ceremonies. Upon the faces of the leaders of the dance, and the captains, who have led many dances through the years, was seen an expression of sadness, as they engaged in this much honored ceremony for the last time, around the Brush Creek fire.

"The feeling of sadness was felt among the visitors to a noticeable degree. This does not mean that there will not be any more dances. The Cherokees will move their 'fire,' as it is called, from these grounds to the new location in a neighboring county. There will be a great uniting of friends at the first dance to be given on their new grounds. Different bands, now holding different ceremonies in the county will now all have their stomp dance together."

CREEK MANIFESTO VS. DAWES COMMISSION

The following protest against the efforts of the Dawes Commission to induce the Creeks to consent to the allotment of their lands and the discontinuance of their tribal government was adopted by the Creek Council at Okmulgee, on November 2, 1897:

"Be it resolved by the national council of the Muskogee nation, that in view of the fact that the agreement or treaty entered into between the United States and the Creek nation by commissioners, duly authorized thereunto on the 27th day of September 1897, was by joint resolution of the national council rejected as unsatisfactory to the Creek people, it is deemed proper that the reasons for such rejection should be publicly stated. The most powerful consideration which induced the Creeks to remove from their country east of the Mississippi to their present home was the fact

that the United States guaranteed them the unrestricted right of self government, and the peaceful occupancy of their country until they shall of their own accord make such changes in their relations to the United States as they may deem for the betterment of their conditions. It is necessary to recite a few well known portions of the treaties now existing between the Creek Nation and the United States in order that the public may properly understand the guarantees upon which we have so far existed as a self governing Nation.

Article III. Treaty of 1834. The United States will grant a patent in fee simple to the Creek Nation of Indians, for the land assigned said nation by this treaty or convention, whenever the same shall have been ratified by the President and senate of the United States; and the right thus guaranteed by the United States shall be continued to said tribe of Indians as long as they shall exist as a nation and continue to occupy the country hereby assigned to them.

Article IV. Treaty of 1856. The United States hereby solemnly agree and bind themselves, that no State or Territory shall ever pass laws for the government of the Creek or Seminole tribes of Indians, and that no portion of either of the tracts of country, defined in the first and second articles of this agreement shall ever be embraced or included within or annexed to any territory or State; nor shall either or any part of either ever be erected into a territory without the full and free consent of the legislative authorities of the tribe owning the same.

Article XV of the same treaty guarantees to the Creeks the unrestricted right of self government and full jurisdiction over persons and property within their respective limits, excepting however all white persons with their property, etc.

"That the result of this policy would ultimately break up our tribal government and end in the absorption of our people by the great body of citizens of the United States. The only and final question to be decided now is, has the time actually arrived when that policy can be consummated at once without detriment to the best interests of the Creek people. All other questions are subordinate and merely incidental to this one great question. It is proper to recite hereby a portion of the history of the Creeks. Prior to the late Civil war between the States the Creeks were

farmers, and herdsmen, and a very respectable portion of them were slave holders. They lived an easy, careless life; education was not deemed of such high importance then as now. This was also true of the slave holders of the Southern States. When the Civil war broke out our country was located between two contending forces. Our people in self defense, abandoned their homes and property and fled, some joining the Union army and others siding with the Confederacy. Thus was our country completely abandoned, and all of our property became the prey of speculators, who followed the two great armies solely for gain. At the close of the war when we returned home, we found our country a vast wilderness; our stock had all been driven away; our houses and fences had been burned by prairie fires and our former places of residence were almost unrecognizable. Then began a struggle for existence; in a country without any money, everybody equally as good as his neighbor, and no railroads nor towns to trade in, or produce markets, we were indeed pioneers. For more than ten years after the war there were no railroads nor towns in our country. We, however, established a few neighborhood and boarding schools which offered only a few of our children the advantages of an education. We were in this condition when in 1889, we sold Oklahoma Territory to the United States Government, and of the proceeds of said sale we deposited with the Government $2,000,000 as a permanent fund, and from the interest thereon we set apart a permanent additional school fund of $50,000 per annum. We then immediately erected large brick and frame school buildings and increased our neighborhood schools to thrice their former numbers. Out of a total income of $160,000 we expended $84,000 annually for school purposes alone. Every child of school age has now a chance of acquiring an education absolutely free to himself and parents. We do not believe that this system of education can be replaced by one better suited to our people.

"We have in this territory five separate local governments (The Five Tribes) neither one nor two of which can constitute a state sufficiently large enough to be admitted by congress. The movement toward a change of government in the Indian Territory should be simultaneous in all these nations. The treaties made with these nations should be uniform in principle and equally protective of their various interests. We will be the principal

beneficiaries of any good that may result from a change of government and we alone will suffer from the confusion and hardships which will necessarily follow the immediate breaking up of these tribal governments against our protests.

"The Congress of the United States has at no time been burdened with petitions from the great body of the white people in our country complaining of grievances or asking for a betterment of their condition, nor has any complaint gone up to Congress from the Indians of this Territory. It is therefore incomprehensible to us why this great pressure should be brought to bear upon us for the breaking up of our country.

"The Commissioners on the part of the United States have threatened us with disruption in our government if we do not by treaty at once agree to allot our lands and surrender our rights to self-government. The Congress of the United States has passed an act (Ind. app. bills, June 7, 1897) depriving us of the jurisdiction guaranteed to us by treaties after January 1, 1898. With this flaming sword as an everlasting threat hanging suspended over us as it were, by a single thread, our commissioners were induced to sign the agreement of September 27, 1897. This is a repetition of the coercion under which our delegates signed the treaty of Fort Smith in 1866 by which we agreed to sell Oklahoma one-half of our county, comprising over three million acres of land at 30 cents an acre; there might have been some slight excuse at that time for using coercive measures, but now thirty odd years since that great conflict ended we have a right to demand justice and fair play. It has been announced to be the desire and purpose of this United States to protect the interests of a majority of the people of our country in devising a plan for the allotment of lands and in the admission of our people into citizenship of the United States upon a thorough understanding of the intent and scope of the treaty as interpreted and explained by our commissioners. The treaty was rejected by a large majority of the members of our council. No people can be accused of improper motives in an earnest desire to thoroughly consider their condition and endeavor to stand by their principles of government, which has brought them prosperity and contentment in the past. In this position which we take, we rely upon the honesty and fairmindedness not

only of the commissioners of the United States but of the distinguished members who compose both houses of Congress. (Adopted November 2, 1897).

G. A. ALEXANDER,
President of the House of Kings.
W. A. SAPULPA,
Speaker, House of Warriors.
Approved, Nov. 3, 1897.
ISPARHECHER,
Principal Chief, Muskogee Nation."

CHAPTER XXI

OTHER HISTORIC INCIDENTS

THE "TRAGEDY OF GOING SNAKE"—GRAFT AND GRAFTERS—TRIBAL TAXES—TAXATION WITHOUT REPRESENTATION—FINAL ABOLISHMENT—INDIAN BALL GAME—SOFKI—GHOST DANCE—INDIAN DANCING—TRUST FUNDS—THE EASTERN IDEA.

One of the events which was the outgrowth of the jealous feeling between the Ft. Smith deputy U. S. marshals and the tribal officials occurred in 1871 and was thereafter known as "The Tragedy of Going Snake."

A bad Indian by the name of Zeke Proctor had become incensed at a white man who was running a little corn mill east of Tahlequah, near the Arkansas state line and decided to kill him. Proctor went to the mill where he found the white man in company with his Indian wife who was a distant relative of Proctor. A brief quarrel ensued and as Proctor raised his gun to shoot, the wife of the white man threw herself in front of the gun and received the deadly bullet which was intended for her husband. As the woman fell, mortally wounded, her husband, well knowing that he would be the next victim of the enraged Proctor, dodged through a door, ran around the mill and made his escape unharmed.

At that time the tribal courts claimed jurisdiction in cases where the person accused of an offense and the person assaulted were both Indians, but the United States District Court at Ft. Smith, Ark., claimed jurisdiction if either party was a white man.

Proctor was arrested by the tribal officials charged with the crime of murder, for killing an Indian woman. The white man made his way to Ft. Smith and filed a complaint in the United States Court, charging Proctor, the Indian, with an attempt to kill him. A posse was deputized by the court to arrest Proctor and take him to Ft. Smith, a party was organized, which included

Joe Peavy, Paul Jones, an old scout, White Sut Buck, an Indian, Eugene L. Bracken, a Muskogee pioneer and several others, headed by Major Owens, and started in pursuit of Proctor. Upon arriving at the old mill where the Indian woman was killed, the company of deputies learned that Proctor's trial was then being held by the Cherokee Court, in an old log schoolhouse, some distance away. The deputies feared that the Indian Court would discharge Proctor upon the plea that the killing was accidental and not intentional, and it was their intention to await the result of the trial and to arrest Proctor in case the Indian Court declared him not guilty. As they approached the schoolhouse an Indian bailiff met them at the door and invited them to come inside.

The room was crowded with Indians, mostly full-bloods, mostly armed with rifles, shot guns or pistols, and many of them friends of the accused.

White Sut Buck, the Indian who accompanied the deputy marshals, was a relative of the murdered woman, and was among the first to enter the room. As he spied Proctor, surrounded by an armed guard, he raised his gun and shot at him. The Indians, thinking that the shot was the signal for an attack upon them, immediately returned the fire, and in an instant the shooting became general.

Major Owens was mortally wounded, several of his deputies were killed and several Indians killed or wounded.

Bracken (now city weighmaster in Muskogee) and a few of the posse retreated and managed to escape unhurt, while Proctor, the prisoner, escaped with only a slight wound. This unfortunate affair served to increase rather than to allay the acrimonious feeling that existed at that time between the tribal court officials and the United States Court officials, although neither party was directly responsible for this battle.

GRAFT AND GRAFTERS

Soon after the Dawes Commission began the immense task of allotting to each individual Indian his proportionate share of tribal lands, the cry was raised that the Territory was being overrun with an army of land-sharks who would use every effort and device to rob the Indian of his land. For many months "The Grafter" was the favorite theme for the sensational news correspondent, until many good people especially throughout the North

ZEKE PROCTOR, CHEROKEE SCOUT

and East, were led to believe that the great body of white men who had emigrated to the Territory, were organized for the purpose of defrauding the natives of their lands. Every opening of public lands has had its rush of prospective settlers and adventurers, and the rush to this country when the Dawes Commission began to partition the vast landed estate of Indian Territory, was not unusual nor unexpected. There is a peculiar fascination accompanying land openings which is specially attractive to speculators and "get rich quick" sharks, and a goodly number of that class of men invaded this country with the expectation of securing land at a nominal price, but they were far outnumbered by honest men who were in favor of protecting the interests of the Indian. Some of these reckless adventurers proceeded to get deeds from simple-minded Indians at a trivial cost and their nefarious acts were heralded abroad as constituting the principal business of white men.

As a matter of fact, however, but few of these grafters profited by their dishonorable practices, for the deeds which they illegally secured were declared void by the courts, and the recollection of their dishonest dealings has left them in disrepute with the business men of the community. Various congressional delegations visited the Territory on what was termed their "junketing" tours for the purpose of investigating conditions, but the only real protection which the Indian has received has come from our local state and Federal Courts and officials.

It is an indisputable fact, however, that from time immemorial, the Indian has been regarded as a favorite subject for graft, due in great measure, to the fact that he had not been accustomed to attaching any special value to real estate. His nomadic mode of living, his natural love of the woods and streams, his inclination to subsist on fish and game rather than upon the products of the soil, his deep-rooted belief that land titles should be vested in the tribe instead of in the individual, his tendency to cling to old customs and habits, in fact his whole life environment has been of such a nature as to render him an easy prey for his more avaricious white brother.

Four hundred years ago the Indians owned the whole of North America. What right had the kings of England, France, Spain and other foreign nations to grant vast tracts of land in this country to their favored vassals? When Roger Williams rightfully

insisted that the early colonists should obtain their grants of land from the Indians who were in possession, rather than from the King of England, he was driven out of the Massachusetts Colony and ostracised by his own people. When Sir Francis Drake visited North America, he robbed the natives of all the gold and silver he could find, and upon his return to England, the King conferred upon him the rank of Knighthood as a reward for his splendid accomplishments. When the early colonists of Connecticut drove the Pequot Indians away from their homes and took possession of their lands, they were complimented by their friends for their deeds of valor.

The early colonies of Massachusetts, New Haven and Plymouth entered into a compact by which they agreed to divide the spoils of conquest which they expected to secure from the Indians.

And when we recall the historical fact that Peter Minuit purchased Manhattan Island, now New York City, from the Indians for $25 payable mostly in trinkets, it seems possible that a bill in equity on behalf of the descendants of those Indians, for the recovery of Manhattan might be sustained on the theory of inadequate consideration.

At a later date, when gold was discovered on the Cherokee reservation in Georgia, white intruders rushed in to secure the valuable metal and the governor of Georgia, in opposition to the very mild protest of the Federal authorities, decided that the whites and Indians could not live together, and therefore the Indians must leave the state.

These historical references to instances of Indian graft on a large scale are not made for the purpose of palliating that offense as practiced here, for it is and has been condemned by a vast majority of the people of Oklahoma; but is made with the hope that sentimental, absentee friends of the Indian may understand that the practice of grafting Indians did not originate in Oklahoma, nor is it countenanced by but a very small proportion of the population.

It is but fair and just to compare the present social and financial condition of the Indian with that prior to the period of allotment of lands. Has the influx of white population aided or injured the Indian?

Not many years ago the U. S. Indian Agent reported to the Secretary of the Interior that the Osages were on the verge of

ZEKE PARIS, A TRUSTWORTHY CHEROKEE SCOUT

starvation and that the Government should furnish them with immediate assistance. Today, the Osages are not only the wealthiest tribe of Indians in the world, but are, perhaps, the wealthiest organized clan or body of men of any kind. Every Osage, man, woman and child, has an independent income—all on account of the discovery and development of oil by the white man. A large share of the land of this tribe is rough, rocky and hilly, entirely unfit for cultivation, but almost every hill is dotted with oil wells, developed solely by the enterprise and capital of white men.

Quite a number of Creeks (Indians and Freedmen) who, twenty years ago had to beg local merchants to supply them with the necessaries of life until they could mature their meager crops, are today millionaires, while many others have comfortable incomes—all derived from royalties on oil and gas which the white man has found upon their land.

The Delawares and remnants of other little tribes who were brought down from Kansas years ago and corralled in the Northeastern corner of this state are receiving handsome incomes from the lead and zinc mines which the white men have developed.

The Cherokees have not yet been so fortunate as to find much oil on their lands, but they have their farms and livestock, which are being improved from year to year, and the white man furnishes them a market for their surplus products.

The $25 pony and the rattle-trap buggy of twenty years ago have been displaced by the automobile and many an Indian proudly manipulates his own high-powered machine.

Some of the brightest lawyers, physicians and successful business men are Indians, while many of them hold city and county offices, and a number of them were sent to the legislature and to Congress by the votes of their white neighbors. No social distinctions, whatever, are recognized between the two races, nearly all of the Indian children have access to the public schools of the state and the two races worship the same God in the same churches. During almost the whole of the past century, the official reports of the Federal agents represented that in certain localities the Indians were starving and frequent appeals were made to Congress for their relief. Such appeals are seldom heard of at the present time and cases of poverty or starvation among the white population greatly outnumber those among the Indians.

TRIBAL TAXES—CAUSE OF BITTER FEELING AND MUCH LITIGATION. "TAXATION WITHOUT REPRESENTATION," FINAL ABOLISHMENT IN 1906

For many years prior to the passage of the Curtis Act, each Indian Tribe or Nation had enacted laws levying a tax (commonly called an occupation tax) upon every person not a member of the Tribe (non-citizen) who desired to transact business of any kind, within the Indian Territory. The first white settlers seem to have paid this tax willingly, at least without much protest. They could well afford to pay it, for in many instances, they practically had a monopoly of the business in which they engaged, and this was the only tax which they were required to pay. But as the white population increased, and especially after towns and cities sprang into existence, necessitating the payment of municipal taxes, much opposition arose to the payment of taxes to the Tribe. This opposition to the payment of Tribal taxes was not limited to non-members of the Tribe, for the Indians were also required to pay certain taxes. At the beginning of the present century and for several years prior thereto, each Cherokee was required to pay to the tribal treasurer, fifty cents per month for every non-citizen who was employed by him, each Cherokee was assessed fifty cents for every head of cattle which he purchased from a non-citizen. Merchants, both citizen and non-citizen, were required to pay one-fourth of one per cent on all goods purchased by them. A tax of twenty cents per ton was levied on all prairie hay cut for sale or shipment. Peddlers were taxed five per cent on all goods sold by them. Itinerant peddlers of drugs and medicines were taxed $50 per month.

In the Creek Nation merchants were taxed one per cent on the cost of goods offered for sale. Physicians, lawyers, dentists, contractors, sawmills, bakers and dairy-men were required to contribute to the tribal treasury at the rate of $25 per year, and tradesmen of every class were required to pay a greater or less amount in proportion to the extent of business carried on by them. It devolved upon the United States Indian agent to collect these taxes for the Tribes and he was directed by the Interior Department to escort any white man out of the Territory who refused to pay. As time passed, much bitter feeling and many lawsuits resulted from the attempts to enforce such collection. The old cry

of "taxation without representation" was raised by the non-citizens, they claiming that they had no voice in the disposition of the funds arising from such taxation, and that they received no benefit therefrom.

By 1902 many newcomers had acquired title to town lots and had built their homes, and on May 27th of that year an Act of Congress was passed, which contained the following provision:

"That it shall hereafter be unlawful to remove or deport any person from the Indian Territory who is in lawful possession of any lots or parcels of land in any town or city in the Indian Territory which has been designated as a town site under existing laws and treaties, and no part of this appropriation shall be used for the deportation or removal of any such person from the Indian Territory."

This Act of Congress annulled the penalty for failure to pay the tribal tax, which merchants and others dreaded most seriously, viz: that of forcible removal from the Indian Territory, but the Federal collecting agents inaugurated the plan of locking up the stores and other places of business, where the owners refused to pay the tax. Many merchants then appealed to the courts to enjoin the collection of the tax and the closing of their stores. Some courts granted injunctions while others held that merchants must pay or suffer the penalty. In one case Judge Joseph A. Gill of the United States District Court for the Northern District granted a writ of injunction against the enforcement of this tribal law, while, at a later date, when the same case came before Judge C. W. Raymond of the Muskogee District, the injunction was dissolved, the court holding that the tax was legal so long as the tribal government existed, and its collection could be enforced by closing the places of business of those who refused to pay.

Inasmuch as all of the proceeds of these tribal taxes were turned over to the treasury of the tribe, and no part thereof expended for any public purpose whatever, the opposition to it constantly increased, almost culminating, at times, in open warfare, until finally, it was abolished by Act of Congress, approved April 26, 1906, in the following words:

"All taxes accruing under tribal laws or regulations of the Secretary of the Interior shall be abolished from and after December 31st, 1905, but this provision shall not prevent the collection

after that date not after dissolution of the tribal government, of all such taxes due up to and including December 31, 1905."

Thus ended one of the most disagreeable contests of the last days of tribal governments.

INDIAN BALL GAME

The following account of an Indian ball game, played some years ago, has been sent to the writer:

When it was announced that the teams were about to appear, there was some nervousness on the part of most of the spectators. It had been reported that the red men would appear in costumes that would put the sea-side bathing suit to shame and make the average ballet dancer consider her dress fit for the Klondike. Instead of this, however, no one appeared in breech cloth and with the exception of two or three who were stripped to the waist, each brave had on a shirt and knee trousers. All were barefooted. Modesty alone prevented their appearance in the abbreviated uniform of former days, as their manager said they thought the many white squaws in attendance might be shocked.

The game of Indian ball would probably never be very popular with the average American audience. It is a modified form of lacrosse, hockey or shinney, together with a sprinkling of foot-ball thrown in. It is much quieter than either of the other games. Nine men constitute a team and the players wear red or blue cloths over their heads or about their waists to indicate the team to which they belong. Each player is provided with two ball sticks made of hickory, thirty-six inches long, the wood being curved or bent into a loop at the bottom. A piece of buckskin wound back and forth across the loop constitutes a net by which the ball is kept from falling through the loop. The aim is to pick the ball up with the two sticks and throw it against a board at the end of the ball ground. No player is allowed to touch the ball with his hands. Each time the ball is thrown against the board counts a point and twelve points usually constitute a game. Now here is where the sprinkling of foot-ball comes in. If a player gets the ball between the loops of the two sticks and starts to run with it instead of throwing it immediately, any player of the opposite team may drop his sticks, tackle the runner and throw him to the ground. In the excitement attendant upon the scramble for the ball it not infrequently happens that a player gets struck on the head

INDIAN CORNSTALK CONTEST

with an opponent's stick, and occasionally a player is dangerously wounded.

The ball used in this game is about the size of a golf ball. Indian women will oftentimes carry buckets of water and first aid supplies for their sons who are engaged in the games.

The contests between the ball teams of different towns (districts) became quite spirited at times, and it was customary for the medicine-man of each town to take charge of his team for several days before entering a contest and put the members in good physical condition. No player who was physically unfit was permitted to take part in a game.

SOFKI

Sofki has been one of the favorite dishes of food for the Indians, especially among the Creeks. It is made of corn, pounded into coarse meal, treated with lye and mixed with water. The wet meal is boiled and lye is dripped into it through a sieve filled with wet wood ashes. When the mixture becomes a thick mush, it is removed from the fire and allowed to cool, sometimes ground nuts are added to the mixture. Sofki is still made and relished by many Indian families.

THE INDIAN GHOST DANCE

Mr. James Mooney of the U. S. Bureau of Ethnology gives the following account of the Indian Ghost dance of a hundred years ago: "From the venerable James Wofford of the Cherokee Nation, the author, in 1891, obtained some interesting details in regard to the excitement among the Cherokees. According to his statement, the doctrine first came to them through the Creeks in 1812 or 1813. It was probably given to the Creeks by Tecumtha and his party during their visit to that tribe in the Fall of 1811. The Creeks were taught by their prophets that the old Indian life was soon to return, when instead of beef and bacon they would have venison, and instead of chickens they would have turkeys.

"Great sacred dances were inaugurated and the people were exhorted to be ready for what was to come. From the South the movement spread to the Cherokees, and one of their priests, living in what is now upper Georgia, began to preach that on a day near

at hand there would occur a terrible storm, with a mighty wind and hailstones as large as hominy mortars, which would destroy from the face of the earth all but the true believers who had previously taken refuge on the highest summits of the Great Smoky mountains. Full of this belief, numbers of the tribe in Alabama and Georgia abandoned their bees, their orchards, their slaves and everything else that might have come to them from the white man; and in spite of entreaties and remonstrances of friends who put no faith in the prediction, took up their toilsome march for the mountains of Carolina. Wofford, who was then about ten years of age, lived with his mother and stepfather on Valley River, and vividly remembers the troops of pilgrims, with their packs on their backs, fleeing from the lower country to escape the wrath to come. Many of them stopped at the home of his stepfather, who, being a white man, was somewhat better prepared than his neighbors to entertain travelers, and who took the opportunity to endeavor to persuade them to turn back, telling them that their hopes and fears alike, were groundless. Some listened to him and returned to their homes, but others went on and climbed the mountain, where they waited until the appointed day, arrived. Slowly and sadly they then took up their packs once more and turned their faces homeward, dreading the ridicule they were sure to meet with on their return, but yet believing in their hearts that the glorious coming was only postponed for a time. This excitement is noted at some length in the old Cherokee Advocate of November 16, 1844, published at Tahlequah."

INDIAN DANCING

The Indian, like many of his white brothers, is fond of dancing, and like them too, he indulges in numerous kinds of dancing. Many of the Indian dances, however, possess a religious significance. Some are of the nature of supplications for rain, for good crops, for the recovery of a sick friend, for prevention of a scourge, or for a victory in battle. In the case of sickness or a threatened plague, the medicine man begins the ceremony by gathering certain roots and herbs, known only to him, from which he compounds his medicine. He sprinkles this mixture around the premises and on the bed of the sick Indian. This is followed by feats of magic or legerdemain in the presence of the patient, par-

taking somewhat of the nature of mesmerism. At the close of the third day a feast is served to the invited guests, which is followed by dancing to the music of the tom tom. The dancers, usually men and women, form a circle, and to the music of the tom tom, accompanied by low chanting of voices, the dance proceeds, and frequently continues throughout the entire night. If the patient is not seriously ill, the excitement of the occasion may induce him to leap from his bed and participate in the dancing, whereupon he is declared cured by the medicine. These old-time Indian dances have long since been discarded by the Five Tribes, except that a few of the full-bloods occasionally celebrate them.

TRUST FUNDS

On January 1st, 1870, the United States Government held in trust for the Indians of Northeastern Oklahoma the following sums of money:

Cherokee National Fund	$913,965.99
Cherokee Orphan Fund	168,035.41
Cherokee School Fund	498,973.95
Creek Orphan Fund	76,999.66
Delaware General Fund	448,983.90
Delaware School Fund	11,000.00

THE EASTERN IDEA

One of the constant sources of diversion to the Indian Territory people in Washington City, both Indian and white, is the persistent association of the aboriginal Indian with the members of the Five Tribes, by the people of the Eastern States whose ideas of our Indians are based on ignorance and romance. They persist in wrapping the regulation blanket around our Indian, be the weather ever so hot and our protestations ever so vigorous.

They ram the peace-pipe into our mouths despite our defensive plea that it was discontinued by us several generations ago. They insist upon substituting the moccasins, leather breeches and feather head-dress of the Indian of their imagination for the modern up-to-date rigging with which our people are wont to bedeck themselves. But this is not all. The acme of their officiousness and the apex of their affectionate superintendence is reached

when they address one of us as "Poor Lo" and trot him up before the "Great Father." This may be very well for the poor Kiowa or the uninitiated Ute of the far West, but the Indian of the Five Tribes of the present day knows him to be a monumental myth.

CHAPTER XXII

EARLY HISTORY OF MUSKOGEE

SOME OF THE PIONEER TOWN BUILDERS—MRS. A. E. W. ROBERTSON—FIRST FAIR ASSOCIATION—FIRST WATER WORKS—FIRST BRASS BAND—HOTEL ADAMS—FIRST NATIONAL BANK—JOSHUA ROSS—PATRICK J. BYRNE—JAMES A. PATTERSON—ANDREW W. ROBB—ROBERT L. OWEN—CHARLES W. MOORE—CLARENCE W. TURNER—DR. J. O. CALLAHAN—DR. F. B. FITE—C. L. JACKSON—W. C. JACKSON—DEW M. WISDOM—VOGEL & ROONEY—WILLIAM A. MADDIN—FIRST MILLINERY—PATTERSON ROUND BALE COTTON GIN—MUSKOGEE COTTON OIL CO.—MUSKOGEE'S FIRE DEPARTMENT—WILLIAM F. MILLS—DR. A. E. BONNELL—EDWARD W. M'CLURE—THOMAS PATRICK SMITH—DR. M. F. WILLIAMS—F. H. GRUBBS—CHARLES N. HASKELL—FIRST W. C. T. U.—A. GRANT EVANS—TRADING POSTS AND ORIGIN OF NAMES—GUS LUBBES.

During the year 1871 the M., K. & T. Railroad, then called the Missouri Pacific, was built from Parsons, Kansas, to the Arkansas River, three miles north of the present site of Muskogee. Three months' time was consumed by the construction company in building the bridges over the river, and in the meantime quite a colony was formed on the north side of the river—and such a colony! The bridge builders, and other employes of the railroad company, excursionists, homeseekers, freighters with their teams of oxen, hucksters, boarding-house keepers, gamblers, liquor peddlers, and an array of loafers and outlaws—all living in tents and improvised shacks, waiting to get across the river and anxious to know where the railway company would locate the next town. Finally, on the first day of January, 1872, the bridge was completed and the railroad employes announced that they would locate their next station 1½ miles south of the river. As rapidly as the cars could be loaded, the tents, shacks, stocks of groceries and household effects were moved to the new location and a still larger colony soon

assembled at the new location. A frame depot was erected, streets were opened on the railroad's right-of-way and fully 500 people stopped there, but stores, shops, boarding-houses, gamblers and bootleggers, were still housed in tents. The new station was christened "Muskogee," in honor of the Muskogee or Creek Tribe of Indians. Mr. E. L. Bracken, the present city weighmaster of Muskogee, is the only resident of the present Muskogee, who came across the river with that outfit. Mr. Bracken, at that time, was in the service of the Overland Transportation Company, whose business was that of hauling provisions, clothing and hardware from St. Louis to the forts and outposts of the Southwest in covered wagons drawn by oxen. These provision trains usually consisted of from 30 to 40 covered wagons, heavily loaded, with three yokes of oxen to each wagon. Upon opening up the restaurants and boarding-houses of the new town, it was noticed that the quality of the bread, meat, coffee and canned goods was much better than had been served on the north side of the river, and upon investigation it was disclosed that great quantities of Government provisions intended for the army forts, had been stolen during the rush and excitement of crossing the river. Deputy marshals from Fort Smith were sent for, to investigate the theft, and with the assistance of Mr. Bracken, it was found that two soldiers from Fort Gibson, who were guarding the provisions, disposed of a large quantity of them to some gamblers for a trifling sum of money. While exploring the new town, the deputies discovered that none of the merchants or restaurant-keepers had, as yet, secured any internal revenue license, and they proceeded to confiscate all the cigars and tobacco in the town, except those of one merchant, who, upon learning of the raid upon the other stores, piled all of his boxes upon the floor and covered them with sides of bacon. For several days after the deputies left, he had a monopoly of the tobacco business. The deputy marshals arrested a few men for various offenses and on their return trip to Fort Smith, confiscated a wagon, mule team and a barrel of whisky.

Mr. Bracken, who accompanied them as an officer, reports that deputies and prisoners partook freely of the tobacco and liquor, and that the prisoners had such an enjoyable time, that none of them tried to escape.

Atkinson & Robb had the principal general store at this first town. They will be remembered by old settlers, Mr. Robb later

MUSKOGEE ABOUT 1890
First M. E. Church in foreground

being identified with the Patterson Mercantile Company and known as one of the best and most progressive citizens of the young city of Muskogee. Joshua Ross, one of the pioneers of this country, and Bent Cobb, another old-timer, both of whom are still residents of Muskogee, sold goods there. After retaining its station at that point for about four months, the railroad officials decided that it was not a suitable location for a permanent station, as the road grade was rather steep and the land sloped in but one direction, rendering it difficult for trains to stop and start easily. They wanted a spot where the ground was practically level, gently sloping in both directions, and they found it at the present site of the M., K. & T. Station, and on the 12th day of April, 1872, all hands got busy and moved their provisions, tents and household goods 1½ miles southward and the real Muskogee sprang into existence. The first tenements were tents and cheap shacks adjoining the right-of-way of the railroad on the east and west, all stores and shops facing the railroad. Doctor Cummings, Muskogee's first physician, erected the first store building on the present site of the city. It was located on the west side of the railroad, midway between Broadway and Okmulgee Avenue, and was filled with a stock of drugs. Otto Zufall hauled the lumber for this building from a mill on the Arkansas River, nearly all of it being of good walnut stock. Walnut timber was plentiful in those days along the streams, but the farmers did not appreciate its value. Much of it was converted into fence posts and rails and it was known to be excellent fire-wood.

Atkinson & Robb moved their stock of general merchandise down from the temporary station and located on the southeast corner of Broadway and Main Street. George Elliott was the first postmaster and the first post office was in the rear end of the Atkinson-Robb store. The mail was not heavy and the accommodating postmaster would stand in the doorway and call to each passer-by who happened to be so fortunate as to receive a letter. Joshua Ross moved his general store down and located on the east side of the railroad. For many years it was known as the "Red Front."

Other stores which were soon established were those of J. A. Patterson, Parkinson & Kincaid, and W. L. Squires. Parkinson & Kincaid's store was successively purchased by Kincaid & Hogg, A. B. Cass, W. A. Wade & Co., and within a few years became the property of J. L. Turner & Parkinson, who for many years were

among the city's leading merchants. Otto Zufall and his brother, George, located the first blacksmith shop on South Main Street and for many months they were probably the busiest men in Muskogee. The first eating-house was owned by John Porter, who established himself on the west side of the railroad, almost in the center of Broadway. The railroad moved its frame depot down to the new town and occupied it until it became necessary to construct a larger building. That original depot is now a part of the property of the Minnetonka Lumber Company, on East Okmulgee Avenue.

One among the very first important institutions located in the new city was Major J. A. Foreman's mill which was erected on the east side, just north of the Katy viaduct. It ground wheat and corn and ginned cotton. Its motor-power was an immense windmill of thirty-two horsepower, resembling the famous windmills of Holland. For many years, the farmers, from every direction, hauled their products to the old windmill. James Mitchell started a restaurant east of the railroad on the south side of Broadway, and in 1873 built a two-story hotel on the site of the present M., K. & T. (Katy) Depot. For several years, until it was destroyed by fire, the Mitchell House was the largest hotel in Indian Territory.

Before Muskogee had completed its first year's existence the water problem became a serious one. Charley Willy had a monopoly in the business of hauling water for the stores and homes, but his supply was too limited to meet the demands of the railroad. George W. Ingalls, the first United States agent for the Five Tribes, had his headquarters out at Agency Hill, two miles west of the depot. He felt that the merchants were not extending to him that degree of courtesy to which the dignity of his office entitled him, and decided that he would try to find a suitable source of water supply farther south and would ask the railroad to move its station down to his proposed new location. The consummation of his scheme would, of course, have meant the deathknell of Muskogee and the merchants were fully aware of it. Ingalls made arrangements with some men to dig a deep well fifteen miles south, at the present site of Checotah. The excavation of this great well was vigilantly watched by the merchants, and when it reached the depth where water was beginning to seep in at the bottom, some enterprising Muskogeeans, whose identity the old pioneers have ever since refused to divulge, purchased a

barrel of salt at Patterson's store, hauled it down in the night-time, quietly poured it in the new well and returned to their homes to await further developments. When the Indian agent learned that his big well had struck salt water, his scheme of moving the agency headquarters from Muskogee was abandoned, and the citizens were thoroughly convinced of the efficacy of salt as a remedy, when properly applied, for it saved Muskogee's life. But the excitement which this little affair caused put the merchants to thinking. It was plain to be seen that if they expected to build a town of any size, they must have an adequate supply of water for the railroad, and for the factories and shops which they hoped to secure. At that time, however, Muskogee had no municipal government, no officials, no authority to raise any funds by taxation. When they needed any improvements of a public nature, they had to raise the money by voluntary contributions. After carefully canvassing the situation, it was finally decided to build an immense pond just north of the business section of the town. About two thousand dollars was contributed for this purpose and a pond was dug, covering about twenty acres, the center of which was three blocks north, about where the depot of the Kansas, Oklahoma & Gulf Railroad Co. is now located. For twenty-five years the "Katy Pond," as it was named, was the sole source of water supply for public purposes, which the town had. As late as the year 1900 it was a customary sight to see scores of men, women and children sitting on the bank of the pond, during Summer evenings, catching small cat-fish and perch.

Prior to 1874 each of the Five Civilized Tribes had its separate agency with a Federal official in charge. The Creek Agency was located at the base of Fern Mountain, three miles northwest of Muskogee. Long before Muskogee was started quite a settlement was built up around the old agency and several stores were located there. The first tavern in this section of the country was located there and was kept by Aunt Sarah Davis, an old colored woman weighing 250 pounds. Aunt Sarah's tavern became quite a noted resort for she had the reputation of being an excellent cook and her tables were always overloaded with well-cooked victuals. Soon after Muskogee was located, Mr. J. A. Patterson persuaded Aunt Sarah to move to town, and built a tavern for her on North Main Street near the railroad which she continued to maintain until the building was destroyed by fire some years later.

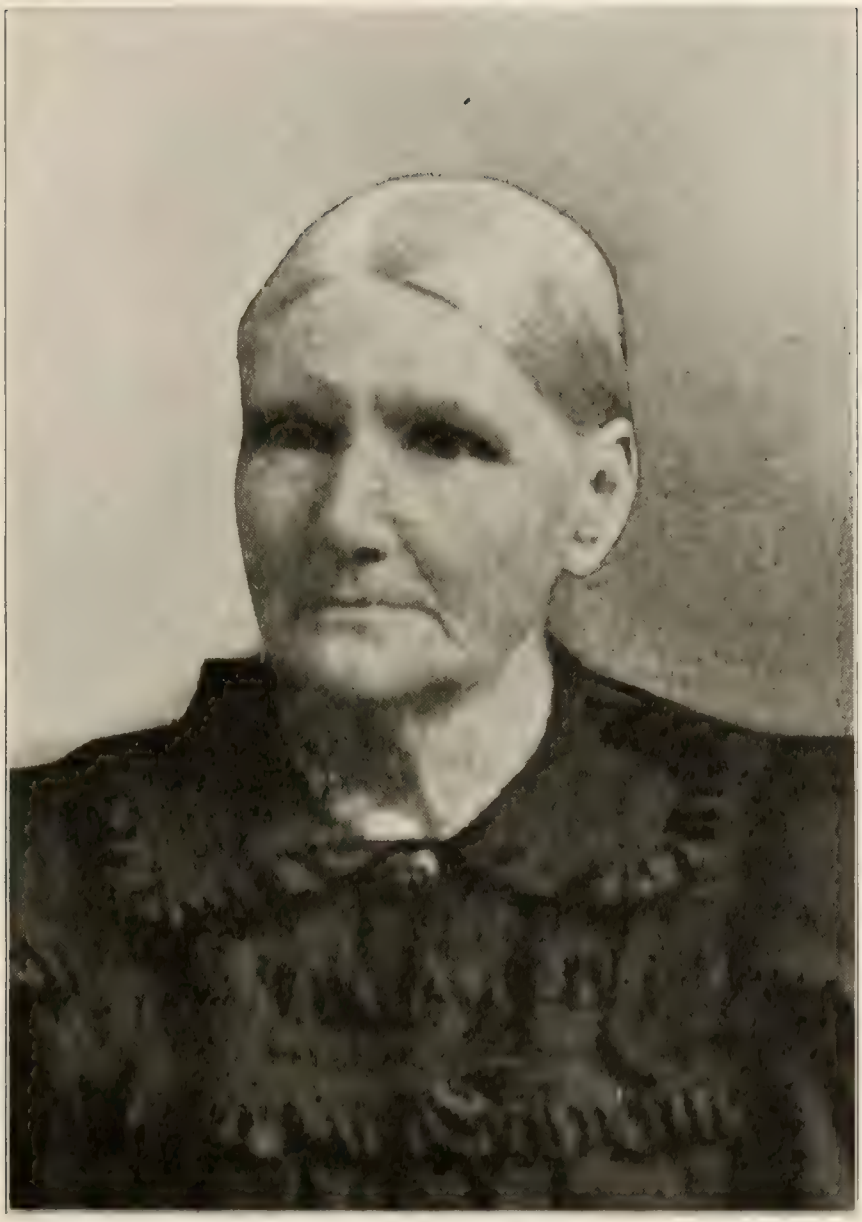
Perhaps the first permanent residence built in Muskogee was the small cottage erected by Mr. D. N. Robb on the present site of the First National Bank, near the corner of Broadway and Second Street. Mr. Robb's youngest daughter, Jessie, now Mrs. Hobart, was the first white child born in Muskogee. Mr. Atkinson, Mr. Robb's partner, erected the first two story residence, on the lot now occupied by the Travelers' Hotel. This building was afterward purchased by some well-to-do colored men and was converted into a colored school.

The first Masonic Lodge in Indian Territory was instituted out at the old Creek Agency, near Fern Mountain, about 1856 by John Barnwell, an Irishman; D. B. Whitlow, an intermarried Creek citizen; J. McD. Coody, a Cherokee, and George W. Stidham and Col. D. N. McIntosh, Creek Indians. They secured a dispensation for organizing the lodge from the Grand Lodge of Arkansas, at Little Rock, and when the Fern Mountain settlement was transferred to Muskogee, they moved their lodge to Eufaula, not being able to find a suitable lodge hall in Muskogee. While at Eufaula, however, it retained its original name of "Muskogee Lodge No. 1."

While Muskogee was in its infancy the Presbyterians established the first church at the present site of the First Christian Church on the corner of Court and Fourth streets. This building was soon destroyed by fire and a new one erected on the northwest corner of Second Street and Okmulgee Avenue. Their first pastor was Rev. John Elliott, who was the father in law of Mr. Deming of the Deming Investment Co.

The first sermon, however, was delivered by Rev. Timothy Hill, a Presbyterian missionary, who spent a few days in Muskogee and started the organization of a church. The Methodists soon followed with the organization of a church, locating their building near the corner of Okmulgee Avenue and Cherokee Street.

After having had a separate Indian agent for each of the Five Tribes for nearly a half century, the Federal Government, in 1874, combined those offices into one Union Agency, with headquarters at Muskogee. This was the first important step taken toward insuring the future growth of Muskogee, for it practically made this city the capital of the Indian Territory. The citizens and officials of the Five Tribes, together with their attorneys and witnesses, all had to journey to Muskogee to transact their govern-



MRS. ROBERTSON
Who translated the Bible into the Creek language

mental business. George W. Ingalls, the first Union agent, was succeeded by Col. J. Q. Tuffts, an army officer. Then came Robt. L. Owen, now United States Senator, Dr. Leo E. Bennett, Major Dew M. Wisdom, J. Blair Schoenfelt and lastly Dana H. Kelsey. One of Mr. Robb's daughters taught the first school in Muskogee, in a small house located near the southeast corner of Broadway and Fourth Street. A man by the name of Payne came down from Kansas shortly afterward and started a little subscription school at the northeast corner of Okmulgee Avenue and Third Street. Both of these schools were short-lived and were followed by the Mission schools of the Baptist, Presbyterian, Methodist and Catholic denominations. Miss Alice Robertson organized a school for girls called the Minerva Home, which was succeeded by the Presbyterian School for Girls. A few years later Miss Robertson, assisted by a few benevolent Presbyterians, founded Henry Kendall College, which, for several years, was the leading educational institution of the city.

About 1878 Dr. Theo. F. Brewer, started a Methodist school, which became known as Harrell Institute. Dr. Brewer remained in charge of this school for eighteen years and resigned its presidency on May 26, 1896, and was succeeded by Rev. W. A. Thornton. Dr. Brewer was too deeply interested, however, in Christian educational work to remain out of the harness many months and he soon took charge of Willie Halsell College at Vinita, where he continued to make his influence felt as a leader and teacher of the highest standard. His ability as an educator was recognized after statehood by his appointment as a member of the first State Text-Book Commission and as a member of the State Board of Education.

MRS. A. E. W. ROBERTSON

A history of this section of the country would not be complete without reference to the life and labors of Mrs. Ann Eliza Worcester Robertson, one of the most devoted missionaries to the Creek Indians. She was born on an Indian reservation near the Chickamauga River November 7, 1826, and was the daughter of Rev. Samuel A. Worcester, the missionary to the Cherokees whose incarceration in the penitentiary of Georgia for his refusal to subscribe to the oath of allegiance to that state called forth the

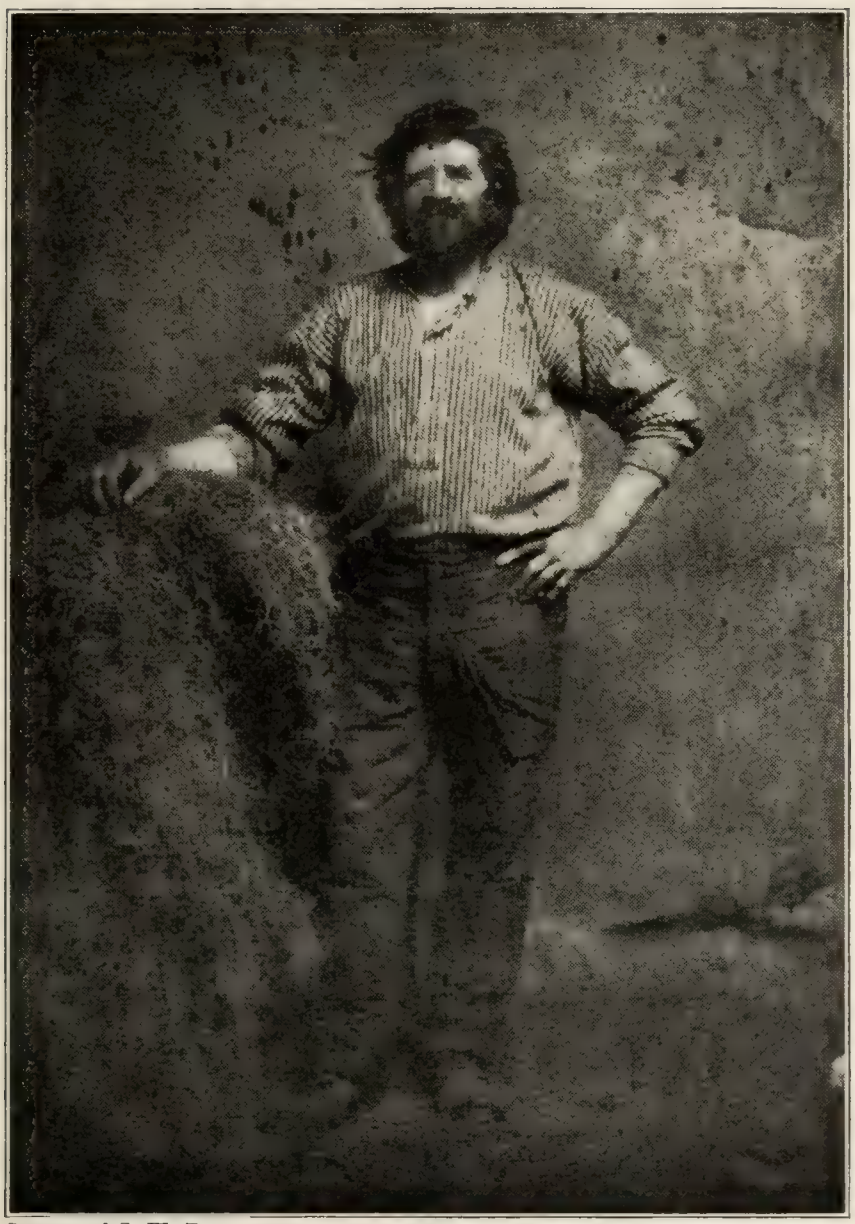
bitter denunciation of thousands of people in all parts of the country. At the age of sixteen she was sent to an academy at St. Johnsbury, Vt., where she remained for four years, giving special attention to those branches of study that would best fit her for efficient service in her father's chosen field of labor. Soon after completing her course of study in the Vermont Academy, she followed the Cherokees to their new home in Indian Territory and taught school at Park Hill, a few miles below Tahlequah, where her father continued his missionary work. Three years later (1850) she married Rev. W. S. Robertson, another missionary who had just taken charge of the new Creek Boarding School at Tullahasse, ten miles northwest of Muskogee.

She devoted her remaining years to missionary work among the Creeks. Her devotion to her chosen work induced her to master the Creek language and during her later years she translated the Bible into Creek. She was the mother of Mrs. Augusta R. Moore of Haskell, Okla., and Miss Alice Robertson of Muskogee.

FIRST FAIR ASSOCIATION

An Indian Fair was held in Muskogee in October, 1874, at which the Indians assisted by a few white people, made an exhibit of their agricultural products, livestock and handiwork. They also had the customary games and horse-racing, and the affair proved so successful that the second annual exhibit was held during the following year.

By 1876 the white population had increased quite materially, and the International Fair Association was organized, with Major John A. Foreman, an enterprising white citizen of Muskogee as president, and Joshua Ross, a Cherokee, still residing in Muskogee, as secretary. This association located its ground southeast of Muskogee, a portion of which now includes the picturesque Spaulding Park. A number of exhibit buildings were constructed, a good half-mile race track, and Indians and whites alike, were interested in it. For fifteen successive years its exhibition was looked forward to with great interest and was regarded as one of the leading events of the Territory, notwithstanding the fact that the stockholders had to submit to special assessments, at different times, in order to pay all the premiums which they had promised.



Courtesy of C. W. Turner

ORIGINAL "WATER WORKS" OF MUSKOGEE, 1872

Man who hauled water and delivered it to residents at 15 cents a barrel.

FIRST WATER WORKS

During the first few years of Muskogee's existence, water, and especially good drinking water, was very scarce. A big, burly, bewhiskered Englishman by the name of Charley Willy, purchased a lot of barrels and established quite an extensive business in delivering water to the inhabitants of the town at the rate of 15 cents a barrel. Upon one occasion when Charley was driving down Main Street (then the only business street), his team became frightened and ran away, spilling barrels of water along the street as they ran and causing great excitement and amusement among those who were permitted to witness the scene. Charley was quite a noted character in his day on account of his many eccentricities. He lived in a shack on Cherokee Street, and besides peddling water, he raised pigs and poultry. He was the first importer of thoroughbred hogs in this vicinity, his favorite breed being the Berkshires of his native country. He was christened "Our First Water Works." It is said that during his residence in Muskogee, he never received a letter through the mail.

FIRST BRASS BAND

On January 1, 1890, Muskogee's first brass band was organized, with C. H. Menafee as director. Benjamin Bellis, Dr. A. E. Bonnell, J. W. Sanders, Joe Trent, Gus Lubbes, W. A. Maddin, and E. R. Rulison were among the number who proceeded to charm the natives with their music.

HOTEL ADAMS

One of the big events of the Muskogee of thirty years ago was the opening of the Hotel Adams, which occurred on January 14, 1890. The M., K. & T. Railroad brought visitors from Kansas and Texas and a gala time followed. A banquet was served to the several hundred guests and the dance continued until 3 o'clock the following morning.

FIRST NATIONAL BANK

The First National Bank of Muskogee commenced business on the 20th day of August, 1890, with Robt. L. Owen as president and C. H. Warth as cashier. It was the first National bank organized in the Indian Territory.

JOSHUA ROSS

Joshua Ross was one of the early pioneers who took an active part in public affairs in the days when Muskogee was but a frontier village. He was born in Alabama in 1832, among the Cherokees, and is a nephew of John Ross, the famous first chief of the Cherokees. His parents brought him to the Indian Territory in 1836, and after graduating at the Cherokee Male Seminary and taking a college course in Virginia, he taught school at Tahlequah for a few terms, then located in Fort Gibson. In 1872 he was present at the birth of Muskogee and his Red Front Store on Cherokee Street was for several years, one of the successful business institutions of the village. He took an active part in promoting the town's interests and for several years he served as secretary of the International Fair of Muskogee, which he and Major Foreman organized. He still considers Muskogee as his home, although he spends a portion of his time with friends in the country.

PATRICK J. BYRNE

Patrick J. Byrne was a typical Irishman from Tipperary who cast his fortune with the people of Indian Territory in an early day, locating first at Fort Gibson, but soon afterward coming to Muskogee. He was a contractor by trade and he built the Mitchell Hotel, the first real hotel building in Muskogee. For several years he was interested with Clarence Turner in the Turner Hardware Co. In 1898 he was elected as Muskogee's first mayor. A few years afterward he went to California with the hope of regaining his health, which had become impaired. His failing health continued, however, and about two years ago death overtook him and he was buried, with honors, at Muskogee.

JAMES A. PATTERSON

James A. Patterson was one of the early pioneers whose memory is still cherished by the old settlers of Muskogee and vicinity. He was a white man, born in Tennessee in 1819. In 1854 he came to Indian Territory and for awhile was employed at the Creek Agency. He taught school a few years and in 1860 engaged in the mercantile business, with G. W. Stidham, a Creek

citizen. In 1873 he opened a general store in Muskogee, which he continued to manage until his death, August 4, 1897. In 1876 Mr. Andrew W. Robb became associated with him in business and the Patterson Mercantile Co. continued for thirty years, to be one of the leading mercantile institutions of the Territory.

Mr. Patterson was never married, nor was he a member of any church. He was a liberal supporter, however, of all worthy enterprises and it is said that he was specially fond of helping worthy young men to get started in business.

ANDREW W. ROBB

Among the pioneers of Muskogee, no man stood higher in the estimation of the citizens than Andrew W. Robb. He came to the Territory in 1871, as an employe of the M., K. & T. Railroad, which was then in process of construction, and in 1872 located in Muskogee, as a member of the firm of Atkinson & Robb, one of the first firms to open a general store here. Later he became associated with Mr. J. A. Patterson in the Patterson Mercantile Co. For many years this firm handled the largest stock of general merchandise in the Territory, and upon the death of Mr. Patterson in 1887, Mr. Robb took charge of the business of the company and conducted it until a short time prior to his death. He was a public-spirited citizen and a Christian gentleman who carried his religion into his week-day business. His daughter, Jessie, now Mrs. Hobart, who resides in Checotah, was the first white child born in Muskogee.

ROBERT L. OWEN

No citizen of any Indian tribe is more widely known or is possessed of more ability as a statesman and financier than Robert L. Owen. Virginia is his native state and his ancestry was a mixture of Irish, Scotch and Cherokee blood. As a boy he attended the common schools of Virginia and, later, entered Washington and Lee University where he graduated with high honors. Upon the completion of his education, he came to Indian Territory, taught school for awhile in the Cherokee Male Seminary and served as Superintendent of Cherokee Schools. During the Cleveland administration he served for one term as United States Indian Agent for the Five Civilized Tribes. During his spare

hours he studied law and became thoroughly familiar with the various treaties and agreements of the several Indian tribes with the Federal Government. At one time he was employed as attorney for the Delaware Indians and was instrumental in adjusting the disputes between the Delawares and Cherokees over their land titles. He assisted in adjusting the affairs of the Eastern Cherokees, acted as attorney for the Choctaws and took an active part in settling numerous disputes between the various tribes and the Federal Government. At the first session of the Legislature following statehood, he was chosen as one of the United States Senators, in which position he still continues to represent the state. As a debater and financier, he holds high rank in the United States Senate.

CHARLES W. MOORE

All of the twenty-year residents of Muskogee will remember the genial countenance of Charley Moore, the bachelor, who was everybody's friend. He was a native of New York, but emigrated as a young man, to the wilds of Indian Territory, in 1883. For several years he traveled over the Territory, taking contracts for painting houses, at the same time making Muskogee his headquarters. About 1898 he located in Muskogee permanently and engaged in the undertaking business. He was a big-hearted man and probably spent more time in visiting his sick friends and acquaintances than any other citizen of the town, during his many years' residence in Muskogee. He was always ready, to the extent of his ability, to help his neighbors who were sick or in distress.

As stated elsewhere, Messrs. Andrew W. Robb, James A. Patterson, J. S. Atkinson, Joshua Ross, Major Foreman and J. E. Turner were the men who were present at the birth of Muskogee and patiently nursed the toddling infant during the first few years of its life, but as it began to exhibit signs of growth and prosperity, they were soon joined by other enterprising men who had faith in the future of the town and country and were ready to contribute of their time, brains and money toward making the community more habitable. Of this class of men none is more deserving of commendation, none devoted more time and money toward building up Muskogee, than Clarence W. Turner, who still resides in Muskogee. He located in Muskogee in the Fall of 1882 after having worked for twelve years with his father, John E. Turner,

HOME AND BUSINESS PLACE OF JOSEPH SONDHEIMER, 1888

TEN THOUSAND POUNDS OF DEERSKINS SHIPPED BY JOSEPH SONDHEIMER IN 1883, MUSKOGEE

in a store at Okmulgee. Upon arriving here he purchased the J. S. Atkinson Hardware store and began business for himself. A few months later, Patrick J. Byrne purchased an interest in the store and the firm of Turner & Byrne soon became known as the most extensive hardware dealers in Indian Territory. Five years later Mr. Turner bought out his partner's interest in the business and continued it on a constantly increasing scale, until he retired from business a few years ago. Clarence Turner had unwavering faith in the future of Muskogee, and whenever any worthy enterprise of a public nature was planned, his advice and support were eagerly sought and readily secured. He built the first electric and ice plant in the city, and for many months he furnished Main Street with lights at his own expense. He was also among the first to begin the construction of substantial, brick business blocks. He suffered heavy losses from both of Muskogee's destructive fires, but his unquestionable integrity and energy enabled him to rebuild and refurnish his store each time, with bigger and better stocks of goods. He possessed the confidence of the Indians to an enviable degree and many of the older Indians still seek his advice in matters of business. He is no longer interested in mercantile business, but retains his residence in Muskogee and looks after his Arkansas River Valley farms.

DR. J. O. CALLAHAN

Dr. James O. Callahan was one of Muskogee's earliest physicians. He was a native of Texas and a graduate of a St. Louis medical college. He settled in Muskogee about 1886 and soon took rank with the best practitioners in the Territory. In 1890 he rendered valuable aid to the Creek Council in drafting a law regulating the practice of medicine in the Creek Nation. He continued in the active practice of his profession until his death in 1913. His widow and Mrs. H. P. Spaulding, his daughter, still reside in Muskogee.

DR. F. B. FITE

Dr. Francis B. Fite, who years ago, acquired the reputation of being the leading physician and surgeon in Indian Territory, is another of the city's pioneers. He is a Georgian by birth and belongs to a family of physicians. At the age of twenty-two he came West and began the study of medicine in the office of Dr. R. F. Fite, an older brother, who had located in Tahlequah. In

1884 he returned to his native state and completed a course of study in a medical college, returning to Tahlequah for a short time in 1886. A year later he accepted a position as surgeon in a New York City college and hospital, where, for two years he had an excellent opportunity for pursuing his favorite study of medical surgery.

In 1889 he located in Muskogee, where he has rapidly built up a lucrative practice and an enviable reputation as a citizen and town-builder. He served one term as mayor of Muskogee, but declined a re-election, finding that his chosen profession was much more interesting to him than politics. He now ranks as a specialist in surgery and as a consulting physician. In conjunction with Dr. J. L. Blakemore, he established the first sanitarium in Muskogee, in 1890, known as St. Mary's Sanitarium.

C. L. JACKSON

Clifford L. Jackson was born in Dayton, Ohio, in 1857, and at the age of twelve years settled on a Missouri farm with his father. After acquiring a common school education, he went to Sedalia to study law and was admitted to practice in 1880. Two years later he went to New Mexico to practice law, and in 1887 was appointed as attorney for the Second judicial district of the Territory of New Mexico, and during his two years' term in that office he encountered some thrilling experiences as New Mexico, at that period, was about the wildest and woolliest part of the West. After serving in that position for two years he came to Muskogee, stopping for a short time in Guthrie. In September, 1889, he was appointed as attorney for the M., K. & T. Railroad. In 1893 he was appointed United States District Attorney, with headquarters in Muskogee, which position he held for about four years. From the date of his resignation as United States District Attorney to the day of his death, April 14, 1921, he served as general attorney for the Katy Railroad. He was an active, energetic man who put earnestness and enthusiasm into every task which he undertook. He held many honorary positions, among which were those of president of the Indian Territory Bar Association, president of the Oklahoma Bar Association after statehood, vice president of the American Bar Association and president of the Muskogee Commercial Club. He held the latter position during the years 1907 and 1908, at a time when public improvements were being

rapidly made in the city, and he showed his devotion to the city's interests by advocating every possible improvement, apparently regardless of its effect upon the railroad which he represented. The eulogy pronounced upon his life by the local bar association truthfully declared that "He was a citizen of whom the state was proud. His counsel and advice aided materially in the erection of this commonwealth and his influence was frequently sought and never exercised, except on the side of right."

W. C. JACKSON

Wayman Crow Jackson was one of the pioneers of Muskogee who will long be remembered by his many friends. He was born in 1855 and reared on an Arkansas farm. He acquired a common school education and attended the State University at Fayetteville and studied law in that city, later taking a course of study in a law college at St. Louis. Upon returning to his home he was admitted to the bar and was elected Mayor of Fayetteville. For five years following 1885, he was associated with E. C. Boudinot, the famous Cherokee lawyer, in Fort Smith, Ark.

He located in Muskogee in 1890 to practice law and in 1893 was appointed United States Commissioner for this judicial district, which position he held for about seven years. He then resumed the practice of law and immediately after statehood was elected as the first county judge of Muskogee County. At the expiration of his term as county judge, he served one term in the State Legislature. He was appointed on the new State Industrial Commission, where he served three years as a member and three years as chairman of the commission. During his six years' service on this commission he adjusted several hundred disputes between employers and employes, very few of which were appealed to the courts. He possessed a jolly, good-natured disposition, had a host of friends and but few enemies. He died on April 25, 1920, leaving a widow, one of the leading musicians of the city, a son and a daughter, all of whom are still residents of Muskogee.

DEW M. WISDOM

During the days when Muskogee was young and trying to cast aside its wild west town characteristics, Dew M. Wisdom ranked among its most useful and most influential citizens.

He was born in Madison County, Tenn., in 1836, attended the common schools and completed a thorough classical course in the university at Lebanon, in his native state. He also studied law for awhile in the same university and was just entering upon the work of his chosen profession, the practice of law, when the Civil war of 1861 began. Throwing aside his law books, he joined the Confederate army and was gradually promoted until he attained command of a regiment of cavalry as colonel. His regiment became a part of the brigade of General Forrest, the famous Confederate raider, and took an active part in several battles. He was wounded three times but refused to retire from active service until the close of the war.

During the war he married a Miss Terry, and at its close he settled in Mississippi, and for several years took an active part in the reconstruction of that section of the Southland. In 1882 he moved to Fort Smith, Ark., and for several years he was editor of a Democratic daily and weekly newspaper in that city. In 1893 he was appointed as chief clerk of the Union Indian Agency and moved to Muskogee. At the beginning of President Cleveland's second term, he was promoted to the position of superintendent of the Union Agency, which position he continued to hold until 1899, when he was succeeded by J. Blair Shoenfelt. In the spring of 1900 he was elected as Muskogee's second mayor for a term of two years. He was a versatile writer, a fluent speaker and a very entertaining conversationalist. His death occurred in Muskogee on the 4th day of November, 1905.

VOGEL & ROONEY

Henry Vogel and James J. Rooney were the first contractors to locate in Muskogee, who had specialized in brick and stone structures. Vogel was born in the mountains of Switzerland in 1863, but emigrated to America during his early boyhood. He learned the brick mason's trade while working with his father, first in New Jersey, then in Illinois. In 1891 he landed in Muskogee and formed a partnership with Mr. Rooney. Iowa is Mr. Rooney's native state, but after learning his trade as a mason he located in Lincoln, Nebr., where, for several years, he was engaged in constructing brick buildings. He came to Indian Territory in 1890 and was associated for several years with Mr. Vogel in the con-

BANK OF MUSKOGEE, 1901, SECOND AND OKMULGEE STREETS,
NOW THE MUSKOGEE NATIONAL BANK

Courtesy of C. W. Turner

MAIN STREET, MUSKOGEE, WINTER OF 1881

tracting and building business. They built the Turner block, the English block and the Mid-Continent building, the latter being the first five-story building erected in Indian Territory. These pioneer builders are still engaged in business in Muskogee, although they dissolved their partnership several years ago.

WILLIAM A. MADDIN

William A. Maddin was another one of the men who aided materially in making a real city of the village of Muskogee. He came from Kansas City in 1883, and for the following ten years he followed the business of contractor and builder. In 1894 he organized a hardware company which flourished for several years, but like nearly all the other stores of the town, it was converted into ashes by that 1899 fire. After the fire he built the three-story brick building which is now the home of the Y. M. C. A. and filled it with a new stock of hardware and farm implements. He established the first planing mill in Muskogee and was also financially interested in farming and stock raising.

FIRST MILLINERY

The first millinery store of any consequence in Muskogee was established in the early '90s by Miss Helen Severs. After a few years she employed Miss Rhoda Hannan, an expert milliner from Missouri, and the stock of goods was enlarged and the styles brought down to date. About 1896 Miss Hannan purchased the store, and with Miss Cobb as a partner, a millinery store was established under the firm name of Hannan & Cobb, which for several years afterward was regarded by the ladies as the most attractive store of its kind in Indian Territory.

PATTERSON ROUND BALE COTTON GIN

Among the first permanent industrial institutions established in Muskogee was Patterson's Improved Round Bale Cotton Gin and Compress which was built by the Patterson Mercantile Co. in 1897. It was the first of its kind in this section of the country and it prospered from the day it began operations. During the busy season of the year it was operated both day and night and in 1898 it handled $65,000 worth of cotton, and the volume of its business increased from year to year.

MUSKOGEE COTTON OIL COMPANY

Next came the Muskogee Cotton Oil Co. which began business in the autumn of 1898, with Mr. G. H. Henson as manager. It employed sixty men during its first year and was able to handle sixty tons of crushed cotton seed daily. The cotton seed meal which it ground was used extensively in fattening cattle. This company built its own electric light plant, it being the third private light plant installed in the city.

MUSKOGEE'S FIRE DEPARTMENT

The first real fire department in the city was organized about 1893, and while it received some support from the young city, its services for several years were largely voluntary. Charles Seekings was chief and Frank Swift and John G. Lieber were foremen of the two hose brigades. The members who volunteered their services were John Cobb, Charles Seekings, Frank Swift, R. Aldredge, E. E. Skelton, Clark Compton, John G. Lieber, O. M. Sholl, Andrew Moore, Tom Doyle, Charley Kimsey, Ben Berry, George Irvin, A. W. Banks, L. T. Parnell, George Dyer, Dan Bonnell, Porter Spaulding, Luther Ward and Preston Ellis. The old-time merchants purchased and presented to the department its first hook and ladder outfit.

By the beginning of the present century Muskogee was beginning to assume the appearance of a real city. It recovered speedily from the effects of its most destructive fire, that of February, 1899, and as the debris was cleared away, more imposing and more substantial business houses replaced those destroyed by fire. The pioneer merchants continued in business and controlled the bulk of the trade. The business methods which they had followed gave them a kind of monopoly of the trade with the Indians and Freedmen and it was difficult for a newcomer to get a foothold. For many years the custom had prevailed among merchants of furnishing provisions and other necessaries to the farmers during the spring and summer months to be paid for during the following autumn or winter, the merchants holding a lien on the growing crops. In some instances, scrip was issued by the merchants to the farmers to be returned in exchange for goods. Captain Severs issued little books of scrip which, on account of the

variegated colors, was known as "Severs' Streaks and Stripes." Spaulding's scrip resembled paper money and as his photograph was stamped on all of his shinplasters, his scrip was called "Spaulding Heads."

WILLIAM F. MILLS

Among the first of the new merchants to locate in Muskogee in competition with the old pioneers was William F. Mills. He dropped into town in 1892 with scarcely more than a trunkful of goods and located in a little room adjoining the Patterson Mercantile Co., and it is said that for several months after he began business he would pack his limited stock of goods into trunks every night and cart them to his sleeping rooms, as his store room was not considered safe from burglars. His trade increased, however, and within three years, he built and occupied what he called the Racket Store, opposite the Turner Hardware Store. In 1897 he moved into one of the store rooms in the new Turner block and his trade continued to expand, but in February, 1899, he was caught in Muskogee's greatest fire, his stock of goods which was then valued at $20,000, being entirely destroyed. As soon as the English block, the walls of which withstood the ravages of the fire, was remodeled, he rented one of its rooms and filled it with a stock of boots, shoes and notions. He was said to be the first merchant in Indian Territory to purchase a full carload of fine shoes at one time. He was one of the town's first merchants to introduce novel methods of advertising.

DR. A. E. BONNELL

Dr. Albert E. Bonnell was Muskogee's first permanent dentist. He was born in Michigan in 1865, and during his early boyhood, he settled with his father in Crawford County, Kansas. He studied dentistry upon reaching young manhood and in looking about for a good location, he learned that the Village of Muskogee had no dentist, but needed one. During the summer of 1888 he packed his satchel with forceps, wended his way southward to the land of promise and established the first dentist's office in Muskogee.

During his practice here for the past one-third of a century

he has repeatedly closed his office for a season and attended special lecture courses in the leading colleges of dentistry, in order that he might keep abreast of the latest improvements in the rapidly developing science of dentistry. Doctor Bonnell is an ardent Methodist, and for the past thirty years he has been Muskogee's foremost Sunday School worker.

EDWARD W. MC CLURE

Mr. E. W. McClure established the first exclusive clothing store in Muskogee and is still doing business in the same room in which he first offered the latest styles for sale in 1899. He landed in Muskogee in 1891 and for eight years thereafter he was employed in the general store of J. E. Turner & Co. His experience as a salesman in that store gave him an intimate knowledge of the prevailing methods of dealing with the natives and also gave him an extended acquaintance among the people, so that when he began business for himself he immediately commanded a fair share of the community's trade. Mr. McClure is an efficient official of the Presbyterian Church and has been active in the civic work of the city.

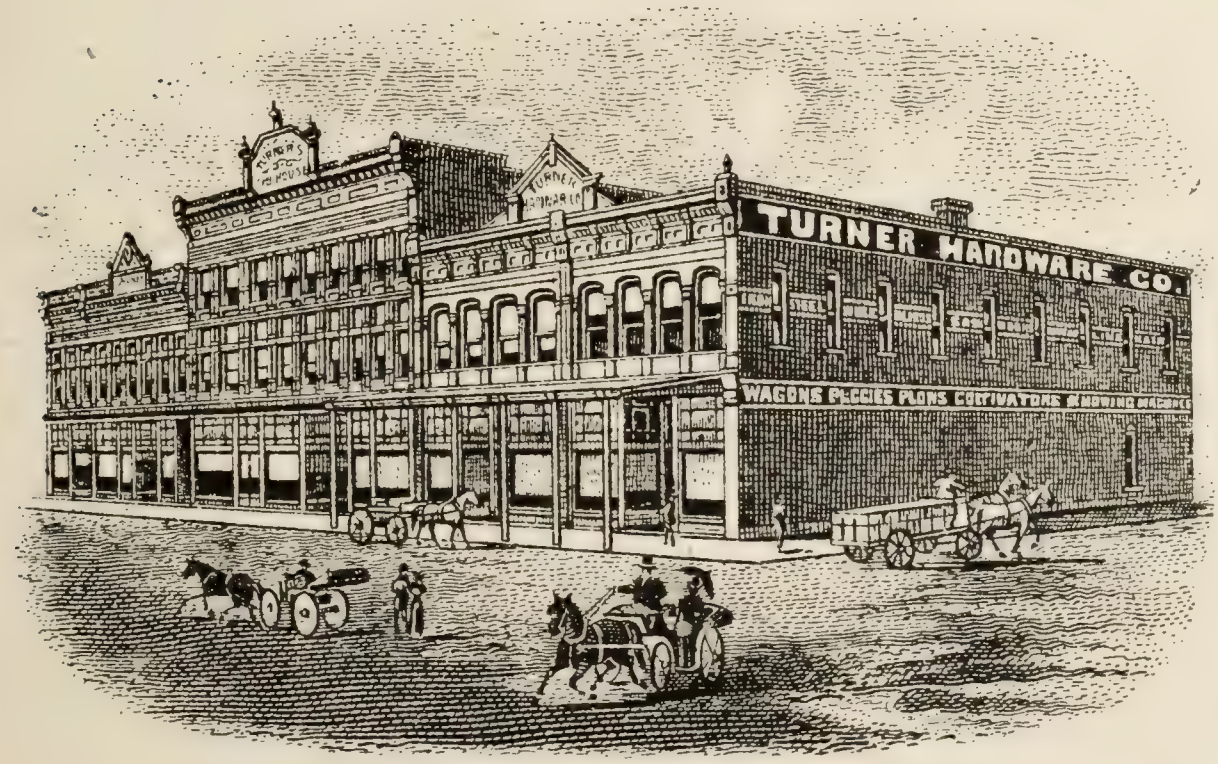
THOMAS P. SMITH

Thomas P. Smith was born in Clinton County, New York, in 1861, and died in Muskogee, Okla., on October 4, 1917. He attended the village school of Clinton until he was twelve years of age, when his family moved to Plattsburg, N. Y., where he entered the public schools. Graduating from the high school, he became associated in the mercantile business with his two brothers, M. A. and M. J. Smith. In 1884 he was made deputy postmaster at Plattsburg, which place he held until 1887, when he was appointed chief clerk at the San Carlos Indian Agency in Arizona. In 1888 he came to Indian Territory as agent for the Osages and Kaws with headquarters at Pawhuska. Mr. Smith camped on the sod in Guthrie, with the other pioneers, at the great opening in 1889. Removing to Muskogee, he associated himself with the Turner Hardware Company.

In 1893 he was appointed United States Indian inspector and in 1894 he was made assistant commissioner of Indian Affairs at Washington. While in Washington on November 27, 1895, he was

Courtesy of C. W. Turner

NORTHEAST CORNER OF MAIN AND BROADWAY, MUSKOGEE, 1888



Built in 1895 Built in 1887

Burned February 23, 1899

married to Belle Granger of Zanesville, Ohio. Three children were born of this union, Lawrence Granger Smith, who graduated from West Point in 1920, now serving with the Fourteenth U. S. Cavalry; two daughters, Emily E. Smith and Annabel G. Smith, both of Muskogee. Mr. Smith remained in Washington during the Cleveland administration and through six months of the Harrison administration. When he was relieved he was sent to San Francisco, Calif., on government business, but he soon resigned to be secretary of the Pacific Coast Hardware & Metal Association, a strong organization formed for the purpose of adjusting differences between the dealers and transportation companies, including in its membership all the leading, influential firms from Seattle to Los Angeles. Mr. Smith performed this difficult task with much skill.

But the call of Oklahoma was always uppermost in his heart and mind, so in 1892 he resigned to return to Muskogee where for many years he was prominently identified with leading business interests and contributed largely toward building up this Queen City of the West. He organized the Chamber of Commerce and was its president for many years. He served two terms as mayor of Muskogee and founded the traffic department of the city. He was a past Exalted Ruler of Muskogee Lodge, B. P. O. E., past District Deputy for Indian Territory and was the first president of the Oklahoma State Elks' Association. He was one of the charter members of the Town and Country Club. He was secretary of state under Governor C. N. Haskell. The most laudable things that can be said of Thomas P. Smith are that he was a devoted husband and father; his greatest pride and joy being in his home and family life. He was a true and loyal friend.

The glory of having well served his city, his state and his nation belonged to him. To him such service was a duty and a pleasure, for it was not in his temperament to shirk. Years spent in public service made him one of Muskogee's most valued citizens, and he died with the knowledge that he had more than done his bit to make Muskogee a real city among cities.

DR. M. F. WILLIAMS

Dr. Mason F. Williams was one of Muskogee's pioneer ministers and physicians.

He was born in Louisville, Ky., in 1851 and finished his course of study in Princeton University in 1871. Soon after his graduation he followed Horace Greeley's advice and emigrated to Indian Territory. His first work here was that of a teacher in the Presbyterian Mission School at Tullahassee, which, at that time, was the largest and best of the Creek schools. In the meantime he pursued the study of medicine and after teaching about two years, he resigned and entered the University of Louisville, Ky., as a medical student, receiving his diploma in 1875. His experience as teacher at Tullahassee had so deeply impressed him with the chances of success and the opportunities for doing good in this country that he could not resist the temptation to return to the Territory. Within a year after completing his medical course, he had returned to Muskogee and had established an enviable reputation as a physician. He also established a drug store in Muskogee, which he conducted until 1887, when the fire of that year destroyed his stock of drugs. Being the son of a Presbyterian minister, he had become well versed in theology and took a prominent part in building up the little Presbyterian Church in Muskogee. For quite a while he served as pastor of this church without compensation. He became identified with the noted missionary family of Robertson by marrying a sister of Mrs. A. E. W. Robertson, daughter of Samuel Worcester, the devoted Cherokee missionary and mother of Miss Alice Robertson, so well and favorably known in Muskogee.

Doctor Williams was widely known as a thorough Christian gentleman who devoted much of his time and talent, both as minister and physician, to the service of humanity, regardless of money remuneration.

F. H. GRUBBS

Frank H. Grubbs established the first exclusive shoe store in Muskogee. He came to the city in January, 1902, and began business at the corner of Main Street and Okmulgee Avenue, in the old two story frame structure known as the Phoenix building. After remaining there for a year he moved his stock of goods one block west to the Fite-Rowsey building. When the new Severs building on Broadway was completed he moved into one of its store rooms. In 1908 he moved again to the new Arkansas building, and at the close of that year he sold out his store and some

time later established a bank at North Muskogee. For several years past he has served as secretary of the Muskogee Clearing House Association.

CHARLES N. HASKELL—FIRST GOVERNOR OF OKLAHOMA

One afternoon in March, 1901, a dark-haired, sturdily-built man of middle age stepped off the Southbound Flyer train at Muskogee and before he had scarcely had time to brush the dust from his clothes the old residents began to sit up and take notice, for they soon realized that a genuine town builder had arrived, in the person of Charles N. Haskell.

Mr. Haskell was born in Putnam County, Ohio, on the 13th day of March, 1860, the son of a barrel maker. His father died while the lad was quite young, and not feeling inclined to follow his father's trade, he went to work on a farm. What influence the father's trade has had on the son's later life is a matter of conjecture. He was fond of reading and while plowing corn he became anxious to acquire an education. He was fortunate in having an aunt who took quite an interest in his welfare and aided him in securing a sufficient amount of education to qualify him as a school teacher. He taught school in Ohio for several terms and devoted his evenings to the study of law, and by close application to study he was soon able to pass the examination for admission to the bar. He practiced law for a while in Ohio but the dull routine of a law office did not long satisfy his restless, ambitious inclination. He soon became interested in building an Ohio railroad and later in establishing telephone lines. His telephone propositions expanded rapidly and reached as far away as Texas and during one of his trips to Texas he started the proposition of connecting San Antonio, and other cities in that state, with St. Louis by a long distance telephone system. Upon one occasion, while returning from Texas to his Ohio home, he accidentally met Judge John R. Thomas of Muskogee enroute to St. Louis. The two men were soon engaged in social conversation and after Mr. Haskell had outlined some of his undertakings, past and present, Judge Thomas began to expatiate upon the possibilities and needs of Muskogee. Upon arriving at St. Louis the two men separated, but not until the Judge had exacted a promise from Mr. Haskell to visit Muskogee at an early date.

Mr. Haskell kept that promise and when he arrived in Muskogee in 1903, his reputation as a promoter had preceded him and assured him a cordial reception. After he had looked the town over a meeting of the citizens was called to confer with him. At that conference Mr. Haskell said in substance:

"Gentlemen, I see that you have the nucleus of a good town here, but you have but one railroad, the Katy road, running north and south. You ought to have an east and west road. Take up a collection and I will build you a railroad, beginning at Okmulgee and extending through Muskogee and on eastward to Tahlequah."

Within three days the citizens of the city had raised a bonus of $30,000 and the building of the Frisco road was assured. About the same time, Mr. Kenefeck, another railroad promoter, was considering the proposition of building a branch of the Frisco line from Fayetteville, Ark., westward into the then Indian Territory, and the two promoters joined forces and built the road from Okmulgee to Fayetteville, naming it the "Ozark and Cherokee Central." After it was completed it was purchased by and became a part of the Frisco System. Mr. Haskell's next move was to build the Midland Valley Railroad into and through Muskogee, and later he was instrumental in building the Kansas, Oklahoma & Gulf Railroad into Muskogee and on toward the southwest. Mr. Haskell was active in promoting other enterprises for Muskogee, and although he was not a wealthy man, he commanded the confidence of capitalists to such a degree that they were ready and willing to invest their money in any proposition which he endorsed.

In the spring of 1904, Mr. N. A. Gibson, at the request of the Muskogee democrats, addressed a letter to Mr. Haskell, soliciting him to become a candidate for mayor of the city, but he declined, saying that he had no political aspirations and that he believed he could be of more service to Muskogee, as a private citizen. The political bee began to buzz in his ear, however, in August, 1905, when the Sequoyah separate statehood convention met in Muskogee. Some of the brightest men in Indian Territory were delegates to that convention, and its proceedings were scarcely begun when Mr. Haskell became one of its leaders, demonstrating the fact that he could lead men in building constitutions and states as readily as he could lead them in town building. Although the Sequoyah convention failed to produce a state, it did discover

THIRD AND BROADWAY, MUSKOGEE, AT AN EARLY DAY

the state's first governor, for from that time forward Mr. Haskell was a prominent figure in the political affairs of the Territory and the new state. He was an easy winner in the race for the first governorship of Oklahoma, and although he had many difficult problems to solve, and although he was harassed and annoyed by the scheming of some of his own official family, his administration was one of the most successful which our new state has ever had. For several years past Governor Haskell has resided in New York and is reputed to have become quite wealthy.

MUSKOGEE'S FIRST W. C. T. U.

The first branch of the Woman's Christian Union in Muskogee was established on July 19, 1888, Mrs. Jane Stapler of Tahlequah being chosen as its first president. Quite a heated controversy arose over a proposition to indorse the prohibition party, but when it was seen that the proposition was about to prevail, Miss Alice Robertson and Mrs. Bryce withdrew from the organization, claiming that the society should carry on its work from a nonpartisan standpoint. This society finally secured a building of its own on the east side of the city and established a school for boys which was maintained until 1897, when the city was preparing to open its first public school.

A. GRANT EVANS

During the early part of the present century Rev. A. Grant Evans took an active part in the affairs of Muskogee along several lines. He was born in India, educated in England in a normal college and taught school there for a few years. In 1884 he arrived in Indian Territory and taught school for a while in the Cherokee Male Seminary at Tahlequah. He became specially interested in the education of the Indian boys, was ordained as a Presbyterian minister and placed himself at the service of the Presbyterian Board of Home Missions. He held pastorates in Kansas, Oregon and Colorado, and in 1899 returned to Muskogee to take charge of Henry Kendall College, as the successor of Reverend King, the first president of the college. Soon after arriving at Muskogee he married Miss Katherine Robb, the daughter of Andrew Robb, one of Muskogee's most meritorious pioneers.

During President Evans' residence in Muskogee, he did not confine his work to the school alone but he was active in all the movements looking toward the civic betterment of the city. He organized a University Club, composed of about seventy Muskogee men who had been university students and the cosmopolitan character of the citizenship was shown by the fact that almost every university in the United States of any standing was represented. Professor Evans was an active member of the masonic order and he assisted very materially in getting Congress to appropriate money for the establishment of day schools in Indian Territory for White and Indian children. Soon after statehood he was appointed as president of the state university which position he held for several years. He now resides in California.

TRADING POSTS AND ORIGIN OF NAMES

The origin of names in Muskogee County and vicinity is an interesting story.

Their early white neighbors in Georgia and Oklahoma generally referred to the Muskogees that lived in the creeky or swampy country as "Creeks," hence the name "Creek Indians."

The first white settlement in this section was the trading post of French and Rutherford, located on the south bank of the Verdigris River at the "lower falls" or opposite the present town of North Muskogee. This post was founded in 1817 by Robert Mosby French, a Kentuckian, who had traded several years among the western Oklahoma Indians. His junior partner was Samuel Morton Rutherford, a seventeen-year-old native of Virginia. French later married a Cherokee and has many descendants in Muskogee and Cherokee counties. Rutherford was the grandfather of his namesake: Samuel Morton Rutherford of this city.

This post was acquired before the early summer of 1819 by Bozier and Pryor. The latter of whom was an ex-captain of the United States army who had accompanied Lewis and Clark in their expedition to the northwest and later settled in the present Mayes County on the creek that still bears his name. Bozier was, as his name indicates, a French courier de bois. Col. August P. Chouteau of Grand Saline, near Salina, most probably purchased this property some time before 1825 and used it as an Osage Indian Agency as we find it referred to as the Osage agency by Washing-

ton Irving who visited it on Wednesday, October 10, 1832, although at that time it was in the Creek Nation and over eighty miles from Chetopa or Three Lodges, the nearest Osage community.

Within two years after the founding of the post by French and Rutherford, Hugh Glenn established a trading post two miles south of the former station and on the north side of the Verdigris River, near the later residence of Gen. Samuel Houston whose Cherokee wife was Tiana, the sister of Chief John Rogers. Houston's residence site was later the home of Lieut. Charles Hoskins, who had graduated from West Point in 1832. Hoskins had the reputation of being an intelligent, high spirited, daredevil, fox hunter and bon vivant. His wife, Tiana Otterlifter, was said to have been the most beautiful woman in the Cherokee Nation. Tradition has it that on leaving Ft. Gibson for the Mexican war, Hoskins buried a quantity of whiskey at that place remarking he would have some good whiskey when he returned. He was mortally wounded in the assault on Monterey on September 21, 1846, and there is no record that his whiskey has ever been found.

Fort Gibson was established in March, 1824, by Col. Matthew Arbuckle of the Seventh United States Infantry. It was named in honor of Lieut-Col. George Gibson, commissary general of the United States army.

Even as late as October, 1832, it was one of the three post offices in the present state, the other two being Dwight Mission and Takatoka, on Fourteen Mile Creek. Webbers Falls, which is not a falls at all, but a ledge of limestone standing on edge and extending across the river bed, was named from the fact that it was settled by Walter Webber, an old settler Cherokee chief who died in the spring of 1824. Lieut. James Wilkerson who descended Arkansas River in December, 1806, stated that the falls was at that time fifteen feet high. Coody's Creek was named for William Shorey Coody, the author of the Cherokee Constitution of 1839. He had a palatial residence at Frozen Rock, near the mouth of the above named stream.

Durdy Creek was at first named by the French: Terre D' Inde, pronounced Tardien, which was their name for the turkey or the land of the bird of the Indian, literally turkey creek.

Spaniard Creek was so named from a settlement of Spaniards on this stream during the early part of the nineteenth century.

Bacone was named for Reverend Bacone, who brought this mission to its present location from Tahlequah in 1885.

Porum was named for John Porum Davis who was president of the Cherokee senate in 1875-6.

Braggs was named for Solomon Braggs on whose land it was located.

GUS LUBBES

William A. Lubbes, known only as Gus Lubbes, is one of the old Indian Territory pioneers who has had a remarkable career.

Gus was born on a sailing vessel on the Pacific Ocean on the 12th day of July, 1841. His parents were Dutch and he was the youngest of thirteen children. He was left an orphan at an early age, and fell in with a scout out on the Western Plains, who took quite a fancy to him. As he grew to manhood he assumed the role of a scout himself and encountered many thrilling experiences with the wild Indians of the Rocky Mountain country.

Upon one occasion, in company with four other scouts, he was escorting a caravan of wagons, loaded with provisions destined for a far West army post. While encamped one night his party was attacked by a band of Sioux Indians and three of his associates were killed. Gus was taken prisoner by the Indians and upon arriving at their camp about daybreak on the following morning, he was bound to a tree, and from morning until noon, the Indians and their squaws danced around him, taunting and torturing him in typical Indian fashion. As the sun approached noon-day his captors piled a lot of sticks around him and set fire to them. As the fire began to scorch his limbs and body he thought that his fate was sealed but he did not flinch, but for one time in his life, he prayed most earnestly for deliverance. Just as he was about ready to succumb to the pain which he was suffering, a bugle blast was heard in the distance and a shot from a rifle announced the arrival of a squad of United States Cavalry. The Indians hastily stampeded but one of them rushed past Gus and struck him with a knife, leaving a scar which he still carries as a reminder of the most exciting of his many thrilling experiences. A bullet from a soldier's rifle, however, overtook that Indian, and Gus was soon released from his torture by the soldiers, although the shock, combined with the suffering from his wounds, rendered him uncon-

scious for several hours. From this experience, Gus has every reason to believe in the efficacy of prayer.

Upon the establishment of the first U. S. Court in Indian Territory Gus was appointed as U. S. jailer and for many years afterward he was responsible for the care and custody of the many prisoners who were herded in the old stockade in Muskogee, among whom were some of the most desperate criminal characters of that early day. After coming to Muskogee, Gus married and reared a large family. Upon retiring from his responsible position as U. S. jailer he bought a farm a few miles south of Muskogee, built a home and a very large barn, intending to engage extensively in the raising of fine horses and cattle, but a disastrous fire destroyed his barn and many thousand dollars' worth of his thoroughbred livestock.

At the age of eighty-one Gus still resides in Muskogee and is now a trusted collector for the Commercial National Bank. He is still spry and lively in spite of the many hard knocks which he has encountered.

CHAPTER XXIII.

FIRST UNITED STATES COURT IN MUSKOGEE

FIRST GRAND JURY—JUDGE SPRINGER—DR. LEO E. BENNETT—THE "SNAKE" UPRISING—JUDGE CHARLES W. RAYMOND—WILLIAM R. LAWRENCE, FEDERAL JUDGE.

THE UNITED STATES COURT IN INDIAN TERRITORY—FIRST LOCATION AT MUSKOGEE

For many years prior to 1889 the United States District Court of western Arkansas had jurisdiction over the Creek and Cherokee Nations in matters in which non-citizens, i. e., persons not members of the Indian tribes, were interested. Judge Isaac C. Parker, who presided over that court established the reputation of being "a terror to criminals," it being claimed that during his administration fully one hundred men were sentenced to be hanged. Judge Parker was kind and courteous to attorneys, witnesses and jurors, but he possessed no sympathy for crime or criminals. It was very inconvenient and expensive, however, for lawyers, litigants and witnesses residing in this section of the country, to attend court in Fort Smith, and repeated attempts were made to remedy the situation, but not until the early part of the year 1889 did Congress furnish the much-needed relief by establishing the United States District Court at Muskogee.

The people of Muskogee had to make a valiant fight to secure the location of the court, for other towns wanted it, and they seemed inclined to combine against Muskogee.

It was argued that Muskogee could not take care of the court; that it had no court room; that its hotel accommodations were entirely inadequate; and it was even insinuated that Muskogee and vicinity could not muster a sufficient number of intelligent men to supply the court with competent jurors. But with the spirit which has ever since been characteristic of Muskogee, the old pio-

neers, Clarence Turner, F. B. Severs, Chief Pleasant Porter, D. N. Robb, W. A. Maddin and others, pledged themselves to build everything needed, and they fulfilled their pledge.

It was a gala day in the history of Muskogee, then a border town of 2,500 inhabitants, when on the first day of April, 1889, Hon. James M. Shackelford, who had just been appointed by President Harrison, as judge of the new court, opened its first session in the old, frame "Phoenix building" which stood on the southwest corner of Main Street and Okmulgee Avenue. Judge Shackelford had gained an enviable record as a soldier during the Civil war, retiring with the rank of general. At the close of the war he began practicing law at Evansville, Ind., where he resided until his appointment as Indian Territory's first United States District Judge.

Thomas B. Needles of Nashville, Ill., was the first United States Marshal. Colonel Needles had served Illinois for many years as a member of the state senate and also as state auditor. In later years he became well known to the people of Indian Territory, as a member of the Dawes Commission. Judge Shackelford appointed Maj. William Nelson, of Indiana, as the first clerk of the court and master in chancery.

FIRST GRAND JURY

The first grand jury of the United States District Court was composed of the following named men, nearly all of whom were residents of Muskogee: J. A. Patterson, D. N. Robb, C. W. Turner, J. L. Thomas, Rev. Sugar George, Ned Robins, James Sandford, W. N. Harsha, O. P. Brewer, S. B. Callahan, J. C. Davison, T. F. Meagher, Wm. A. Maddin, John O. Cobb, R. A. Evans and J. M. Rucker.

Among the first lawyers admitted to practice in this new court were the following: Frank P. Blair, E. C. Boudinot, J. S. Davenport, S. B. Dawes, S. S. Fears, Walter T. Fears, N. A. Gibson, J. M. Givens, W. M. Harrison, W. T. Hutchings, C. L. Jackson, W. C. Jackson, W. A. Ledbetter, Wm. E. Linton, Thomas Marcum, N. B. Maxey, Robt. L. Owen, Ridge Paschal, J. G. Ralls, T. C. Ralls, Thos. A. Sanson, Ross Shackelford, Wm. F. Severs, John Watkins, Dew M. Wisdom, Z. T. Walrond and W. S. Wolfenberger.

WHERE COURT WAS FIRST HELD IN MUSKOGEE

Of this number, only seven are at present members of the local bar and ten have passed to the court beyond.

At the close of the first day's session, the Muskogee Bar Association was organized with Judge Shackelford as president and Robt. L. Owen, as secretary, nearly all of the above named lawyers becoming members.

The occasion of opening the new court was honored by the presence of numerous prominent attorneys and statesmen from surrounding states, among whom were Congressman Rogers, Judges Clayton and Humphrey and Attorneys Brizzolari, Reed, Sandels, Forester and others from Arkansas; Congressmen Stephens and Hare, Judge Gilbert and Messrs. Randell, Potter, Lillard and others from Texas; and Senator Kimball and Messrs. Case, Glass, Neale, Crichton and others from Kansas. The occasion was indeed the beginning of an important epoch in the history of Muskogee, and is vividly remembered by the old residents of this vicinity.

For many years prior to this time, numerous white men had located in Indian Territory, in order to escape execution for debts previously incurred "back in the States," and one of the first and most important questions which confronted the new court was whether or not the statutes of limitations would apply to prevent the collection of such debts. Nearly all the lawyers present participated in the discussion of this question, either for or against the proposition, and the court decided, that inasmuch as these debtors, upon coming to the Territory, had passed beyond the jurisdiction of any competent court, they could not take advantage of the statutes of limitations. This was the signal for the lawyers to get busy, and in some cases they enforced the collection of debts which had been incurred twenty years previous to that time.

The little old frame building in which the court first convened, furnished but cramped and insufficient quarters for its rapidly increasing business, and two of Muskogee's most public spirited citizens, Clarence W. Turner and Gen. Pleasant Porter, chief of the Creek Nation, at once began the construction of the three story Federal Court building at the southwest corner of Second and Court streets, on the site now occupied by the more imposing Railway Exchange building. The corner stone of this (then magnificent) structure was laid by the Masonic Grand Lodge and a

barbecue of many beeves was furnished to the large crowd of visitors.

The Act of Congress passed in May, 1890, by which the western half of Indian Territory was detached and converted into Oklahoma Territory, also divided Judge Shackelford's Court into three divisions, providing for terms to be held at McAlester and Ardmore. The same Act made the Arkansas law governing misdemeanors applicable here and provided for the appointment of United States Commissioners in each division, who were given authority to try minor cases. Prior to the passage of this Act there was no law providing for any penalty for misdemeanors committed by non-citizens, which fact accounts for the numerous acts of lawlessness of those pioneer days. To a great extent, every man was a law unto himself, and if imposed upon, he felt justified in applying the remedy, either with his fists or his pistol. Within a year after the commissioners entered upon their duties 1,000 criminal cases were docketed, and as the commissioners and deputy marshals were paid in fees, their work was very remunerative. During the years 1891 and 1892, 2,700 persons were charged with crime and 2,200 were found guilty. Soon after Grover Cleveland was inaugurated as President, Hon. Charles B. Stuart of Gainesville, Tex., was appointed to succeed Judge Shackelford, Clifford L. Jackson became district attorney and J. J. McAlester United States marshal, James M. Givens, assistant attorney and J. W. Phillips, clerk of the court.

The business of this court increased so rapidly that on March 1, 1895, Congress was induced to provide for two additional judges. The Territory was then divided into three districts, northern, central and southern.

William M. Springer, ex-congressman from Springfield, Ill., became judge of the northern district, Judge Stuart was assigned to the central district at McAlester, and ex-Congressman Kilgore, of Texas, was appointed as judge of the southern district, with headquarters at Ardmore, James A. Winston was appointed clerk of the Muskogee District, Wayman Crow Jackson, commissioner, N. A. Gibson, master in chancery and Morton Rutherford, United States marshal.

The election of McKinley in 1896 was the signal for another political "resetting of the docket" in Indian Territory.

Hon. John R. Thomas, ex-congressman from Illinois and

HON. JOHN R. THOMAS
United States judge from 1897 to 1901. Died, Muskogee, 1913

Hon. Wm. H. H. Clayton of Arkansas were appointed as judges in 1897, and in 1900 Hon. Joseph A. Gill of Kansas succeeded Judge Springer in the northern district. Pliny L. Soper became attorney for the northern district, and Dr. Leo. E. Bennett, United States marshal.

The judgeship of the southern district was made vacant by the death of Judge Kilgore, and Hon. Hosea Townsend, ex-congressman from Colorado, was appointed to fill the vacancy. At the expiration of Judge Thomas' term in 1901, Hon. Charles W. Raymond of Illinois was appointed to succeed him.

Judge Raymond was succeeded, at the close of his term, by Hon. William R. Lawrence, of Danville, Ill., a neighbor and old time friend of Congressman Joseph G. Cannon.

JUDGE SPRINGER

Judge William M. Springer was born in Sullivan County, Ind., May 30, 1836; removed to Illinois with his parents in 1848; graduated at the Indiana University at Bloomington in 1858; studied law and was admitted to practice in 1856. He was a member of the Legislature of Illinois in 1871-72. In 1874 he was elected to Congress, where he served his Illinois district as a democrat for twenty successive years. He was defeated in 1894, but was immediately appointed as United States District Judge for the northern district of Indian Territory.

While in Congress he served for several years on the committee on territories and when he entered upon his judicial career at Muskogee, in March, 1895, he was well acquainted with conditions here. Immediately upon his arrival in Muskogee, he announced the appointment of James A. Winston of Springfield, Ill., as clerk of his court.

DR. LEO E. BENNETT

During the early days of Muskogee, when the town was just beginning to assume city proportions, probably no man had a greater influence in shaping the policies of the city than Dr. Leo. E. Bennett. As a young physician, he left Fort Smith in 1883 and settled in Eufaula to engage in the practice of his chosen profession. He soon saw, however, that Muskogee was destined to

become the Metropolis of Indian Territory and his restless, energetic disposition prompted him to come to Muskogee and assist in building a real city. In January, 1888, he established the Muskogee Weekly Phoenix which he continued to publish until 1889, when he was appointed United States Indian Agent. He resigned as Indian Agent in 1892, and was appointed United States Marshal for Indian Territory in 1897.

He was a stanch, true friend of the Indian and absolutely fearless in the discharge of his duties. Accompanied by a few deputies he captured "Crazy Snake" and twenty of his band during one of their "uprisings" and brought them to Muskogee. He did not hesitate to severely criticise the authorities at Washington when he thought they were derelict in their obligations to the Indians.

In 1908 Doctor Bennett was elected mayor of Muskogee, but after serving the city for some time he resigned on account of some technical legal question which arose under the new state's first election law, and, at his request, Mr. T. H. Martin, former mayor, took up the mayoralty duties again.

Doctor Bennett was active and prominent in Masonic circles, in Oddfellowship and in the Knights of Pythias and rendered material aid in organizing several of the banks and other business institutions in Muskogee. He was an honest official, a true friend of the Indian and a genuine town builder. In 1917, his health became impaired, and while on a visit to Mineral Wells, Tex., he died on the 27th day of May.

THE "SNAKE" INDIAN UPRISING OF 1909

Early in the spring of 1909 the public press of Oklahoma, in glaring headlines, proclaimed an uprising and threatened rebellion of a band of full-blood Creek Indians, inhabiting a rough, hilly section of the country, west of Eufaula. The "Snakes," like the "Kee-Too-Wahs" or "Night Hawks" of the Cherokee Nation, were opposed to the dissolution of their tribal government and to the individual allotment of lands. They would occasionally meet and have a dance at their favorite place, known as "Old Hickory Stomp Grounds" and they would adopt resolutions denouncing the efforts of the Dawes Commission toward breaking up their tribal relations and customs, but that was the extent of their demonstrations. Upon this particular occasion the newspapers were

DR. LEO E. BENNETT

A well known pioneer, U. S. Indian agent, U. S. marshal, mayor of Muskogee

so sure that an Indian outbreak was impending that the governor of the state was prevailed upon to send 200 of the State Militia to the vicinity of the "Stomp Grounds" to quell the promised uprising.

The facts in the case were as follows: A number of non-citizen negroes who had been living in tents near the Stomp Grounds were suspected of having stolen some articles that were missing in the neighborhood. A constable undertook to search the tents, but, upon being denied admission, he organized a posse and arrested forty of the negroes, one Indian and one white man. None of the so called "Snake Indians" were present. However, about the same time, Wilson Jones, alias Chitti Harjo or Crazy Snake, leader of the disaffected Snake band, had returned from Washington, D. C., where he had gone to beg the President to permit the Indians to retain their old customs and modes of living, and as was his custom, upon his return home, he called his band together at their Stomp Grounds, to report the failure of his trip to Washington. The authorities of McIntosh County, surmising that the Snakes, upon hearing the disheartening report of their leader, might cause trouble of some kind, sent five deputies to arrest Wilson, or "Crazy Snake."

The deputies found Wilson at his humble home in company with seven other Indians. They resisted arrest, claiming that they had violated no law, and a fight followed, in which two of the deputies were killed and Wilson and one of his visitors were wounded.

Thus ended the "uprising" and it is a fair sample of the "Indian Insurrections" which have been periodically reported from this territory during the past thirty years.

JUDGE CHARLES W. RAYMOND

Charles W. Raymond was appointed by President McKinley in 1901 to succeed Judge John R. Thomas as United States District Judge of the Muskogee District. Judge Raymond had practiced law in Watseka, Ill., his home town, for many years, and had served as County Judge of his home county. Soon after arriving at Muskogee he foresaw that the then struggling town was destined to become a city of considerable size and importance and backed his judgment by investing extensively in city property. He

still owns some of the most valuable business property in Muskogee. At the close of his term of office he was succeeded by Judge William R. Lawrence and soon afterward returned to his former Illinois home where he now resides.

WILLIAM R. LAWRENCE—FEDERAL JUDGE

William R. Lawrence was born in Bloomington, Ind., January 14, 1840. In 1849 his father, John Lawrence, moved to Illinois, settling near Danville, taking the young lad with him. On July 14, 1862, William joined the Union army, enlisting at Georgetown, Ill. He was soon promoted to a lieutenancy; was wounded at the battle of Chickamauga, was captured by the confederates and confined in Libby Prison for six months. His prison confinement wrecked his health to such an extent that he was rendered unfit for further service and in 1864 he was honorably discharged from the army and returned to Illinois and began the study of law at Bloomington. Upon being admitted to practice law he married Miss Josephine Frazier, of Danville, and went to Boonesboro, Iowa, to begin the practice of his chosen profession. In 1873 he returned to his old home at Danville, Ill., where he opened a law office and remained in the active practice until April 18, 1904, when he was appointed a United States District judge for the Northern District of Indian Territory. On December 8, 1905, he was transferred by President Roosevelt to the Muskogee District as the successor of Judge C. W. Raymond, where he remained until statehood. Prior to his coming to Indian Territory he was, for many years, regarded as one of the best lawyers of Eastern Illinois, having been identified with some of the most important cases which arose in the courts of that state. In one noted lawsuit he was pitted against Dan Voorhees, the Tall Sycamore of the Wabash, the most noted criminal lawyer of his time in Indiana. Judge Lawrence, now in his eighty-third year, resides in Muskogee, surrounded by his children, grandchildren and one great grandchild, William R. Lawrence III.

THIRD STREET, LOOKING NORTH, MUSKOGEE

CHAPTER XXIV

MODERN MUSKOGEE

CONDITION WITHOUT PARALLEL—ACT OF JUNE 10, 1896—THE CURTIS ACT—SEPARATE AGENCIES ABOLISHED—FIRST MUSKOGEE ELECTION NOTICE—FIRST CITY OFFICIALS—THE DESTRUCTIVE FIRE OF 1899—MUSKOGEE IN 1900—WM. H. WOODWARD—STREET RAILWAY—MUSKOGEE ICE & POWER CO.—MUSKOGEE'S WATER WORKS—MUSKOGEE CITY GOVERNMENT—MUSKOGEE LAW LIBRARY—MUSKOGEE A FINANCIAL CENTER—BANKS—MUSKOGEE COUNTY COURT—HISTORY OF MASONRY IN MUSKOGEE—KNIGHTS OF PYTHIAS—I. O. O. F.—MUSKOGEE'S CLUBS.

From 1872 to 1898 Muskogee had grown to be a thriving town of 3,500 inhabitants, with substantial homes, good store buildings and other public improvements, yet no person had title to the lot which he occupied and had improved. Such documents as warranty deeds and abstracts of title were unknown throughout the Indian Territory. The title to all of the real estate was vested in the Indian Tribes, each Indian having, by common consent, taken possession of a certain tract of land which he called his own, although he had no vested title nor deed of conveyance.

When a white man who was not a citizen of the tribe wanted to build a home or erect a business house, he simply rented or bought the right of possession to a lot from the Indian who was in possession of it. If a white man desired to sell or trade his home or store building, he could not execute a deed to his lot, but could only execute a bill of sale for his improvements, which carried with it the right to occupy the lot upon which the improvements were located.

Visitors and prospectors from the states, accustomed to warranty deeds and abstracts of title, were puzzled at this condition of affairs and were naturally slow to invest their money, either in buildings or lots. Old timers, however, who had invested their

fortunes here, seemed to have implicit confidence in the Government and the tribe, hoping that at some time, in some manner, they would be able to secure complete title to the lots which they had improved and their confidence was not misplaced.

CONDITION WITHOUT PARALLEL

Prior to 1898 the condition of the white inhabitants of Indian Territory had no parallel anywhere in the history of the United States. Scores of villages of from one hundred to one thousand inhabitants, and thirty or more substantial towns having a population of from one thousand to thirty-five hundred, had grown up, having comfortable homes and spacious business houses, yet having no municipal governments, no public schools, no authority to raise funds by taxation, no real estate titles; yet all were fondly hoping that Congress would sooner or later furnish relief from their precarious condition.

The creation of the Dawes Commission by the Act of March 3, 1893, marked the beginning of congressional action looking toward the breaking up of tribal titles and conditions. This act provided for the appointment of three commissioners whose duties were to try to persuade the Five Civilized Tribes to agree to the extinguishment of their tribal titles to lands, either by selling the same to the United States or by allotment or division of their lands to the members of the tribes in severalty. By the Act of March 2, 1895, the commission was increased in number to five members. As stated elsewhere this commission did not meet with much success for several years, for the reason that the Indian tribes were emphatically opposed to abandoning their tribal titles, customs and mode of living. They were apparently willing to permit the white man to remain here, to rent their lands and carry on mercantile business, so long as he paid a reasonable occupation tax to the tribe, but they protested against any interference with their tribal institutions or conditions.

ACT OF JUNE 10, 1896

On June 10, 1896, Congress passed an act enlarging the duties of the Dawes Commission by providing that it should proceed to hear and determine the applications of all persons who might apply for citizenship in any of the Five Tribes, and to make a

U. S. SECRETARY OF INTERIOR GARFIELD ON OFFICIAL VISIT TO INDIAN TERRITORY, 1902,
WITH GOVERNOR AND CITY OFFICIALS OF MUSKOGEE

complete roll of all persons who were entitled to tribal rights. This was the first step taken toward the curtailment of the authority of the tribal councils, for prior to the passage of this act, the tribal councils had exclusive jurisdiction in the matter of determining who should be enrolled as members of their respective tribes.

This Act of Congress gave the commission a somewhat better standing with the Indians, for it convinced them that the commission would now do something besides "negotiating" with them.

Again, the Act of Congress of June 7, 1897, after making an appropriation for salaries and expenses of the Dawes Commission, provided that on and after January 1, 1898, the United States courts in Indian Territory should have original and exclusive jurisdiction and authority to try and determine all civil cases in law and equity thereafter instituted, and all criminal cases for the punishment of any offense committed after January 1, 1898, by any person in the Territory, and that this act should apply to all persons in the Territory, irrespective of race.

This act further provided that the laws thereafter enacted by the tribal legislatures should not take effect until approved by the President of the United States.

Prior to 1898 each tribal council or Legislature was unrestricted in its legislation and its courts had exclusive jurisdiction in causes of action arising between its own citizens. Thus, little by little, the Indian officials saw their tribal sovereignty disappearing, but they persistently refused to enter into any agreement with the Dawes Commission, concerning the disposition or division of their lands. They repeatedly reminded the commission that their old treaties provided that these lands should be theirs "as long as grass grows and water runs," and that they should possess and enjoy it, unhampered by the white race.

By this time the leading members of Congress decided that the time had arrived when more drastic action on their part was necessary and on June 28, 1898, the Curtis bill, which, perhaps, was the most far-reaching in its effects, of any act of Congress applying to Indian Territory, became a law.

THE CURTIS ACT

This act gave the Dawes Commission and the Federal Courts jurisdiction in determining the status and rights of a large class

of men who had settled upon lands, claiming to be Indian citizens, but whose tribal rights had been denied by the Indian authorities.

It provided that when the roll of Indian citizenship of any tribe should be completed and its land surveyed, the Dawes Commission should proceed to allot its lands among its citizens, giving to each, as far as possible, his fair and equal share.

It provided that any town having a population of two hundred or more might incorporate as provided by the statutes of Arkansas and proceed to form a municipal government.

It provided for a townsite commission for each incorporated town, with power to survey and plat townsites, and to decide how much the claimant of any lot should pay to the tribe in order to perfect his title.

That the secretary of the interior should have the right to locate an Indian inspector in the Indian Territory to perform any duties required of him. This inspector, in the person of Hon. J. George Wright, arrived in Muskogee about August 20, 1898, and was practically the governor of the Territory for several years afterward.

It provided that the United States would no longer pay tribal money over to the tribal officials for disbursement, but that such payments would thereafter be made by the secretary of the interior or his agents directly to the individual members of the tribe.

The Curtis bill also included and approved the agreement, which the Dawes Commission had finally persuaded the Choctaws and Chickasaws to enter into, providing for the individual allotment of their lands.

Although the agreement between the Dawes Commission and the Creek Nation, providing for the allotment of Creek lands and the winding up of all the tribal affairs of the Creeks, was not approved until March 1, 1901, and the Cherokee agreement, July 1, 1902, yet the passage of the Curtis act was a signal for everybody to get busy.

The Dawes Commission brought several hundred men to Muskogee, who were employed as surveyors, land appraisers, field agents, stenographers and clerks. The annual salaries and expenses of the commission were gradually increased from forty thousand to about four hundred thousand dollars.

Owing to the illness, due to advanced age, of ex-United States Senator Dawes, who had been designated as chairman of the com-

POST OFFICE, MUSKOGEE

mission, he was unable to give the work much personal attention, and Hon. Tams Bixby was appointed acting chairman, and the influence of his indefatigable energy was soon manifested throughout all branches of the commission's work. Some idea of the magnitude of the task of the Dawes Commission may be gained by noting that it included the equitable division of 29,523,966 acres of land of almost every imaginable kind and quality, among 101,505 legal claimants. In addition to examining and passing upon the legal status of the 101,505 Indian citizens, who were found to be legally entitled to share in the tribal lands and funds, the commission was compelled to investigate and decide upon the claims of thousands of other applicants who were rejected. Carloads of ignorant, shiftless people were shipped into the territory from the southern states, by designing schemers, in the reckless endeavor to get them enrolled as possessing a greater or less degree of Indian blood, and their claims had to be investigated and decided by the commission. In short, the task of the commission was no less than that of settling up more than one hundred thousand individual estates.

SEPARATE AGENCIES ABOLISHED

When the Government abolished the separate agencies, which for many years had been maintained for each tribe, and established in their stead the Union Agency for all the Five Tribes, with headquarters at Muskogee, the office of Indian agent became one of great magnitude and responsibility, and brought to Muskogee two hundred or more additional stenographers and clerks, many of whom were women.

The work of the Indian agent, in a large measure supplemented that of the Dawes Commission.

He had charge of the business of regulating the trade and intercourse between the whites and Indians.

He collected the royalties on oil, coal and asphalt, which were due the various tribes.

He collected the payments due the tribes on the sale of town lots throughout the territory.

It became his duty to place each allottee in possession of the land assigned to him by the commission, and to remove therefrom all squatters or other adverse claimants.

Under the direction of the United States Indian inspector, it occasionally became his duty to remove certain white men, who had become obnoxious or objectionable to the Indians, from the boundaries of Indian Territory.

He had to report upon the advisability of removing the restrictions of certain Indians so that they might handle and dispose of their land as they saw fit.

Upon the Indian agent was also devolved the task of opening public roads on the section lines throughout the Territory.

He was required to collect the tribal tax on cattle belonging to non-citizens and also the tribal tax imposed on non-citizen merchants, lawyers, physicians and others engaged in business throughout the Territory.

He was also the disbursing agent for the Five Tribes, having to make occasional distributions of money to the individual Indians, which payments usually amounted to several million dollars annually.

The arrival of these numerous Federal employes, together with the frequent visits of hundreds of Indians, attorneys and witnesses on Indian business, aided very materially in causing Muskogee to change very quickly from the character of a quiet, frontier village to that of a thriving, modern city.

Prior to 1898, Muskogee had no municipal government of any kind. The town had just been incorporated and it now became necessary to elect some officials to transact the town's business.

Here is an exact copy of the

FIRST MUSKOGEE ELECTION NOTICE

TO THE VOTERS OF THE INCORPORATED TOWN OF MUSKOKEE;

TAKE NOTICE:

That the undersigned agents of the incorporated town of MUSKOGEE, I. T. have appointed the

FIRST DAY OF JUNE, 1898,

for the election of officers, said election to take place in the building recently occupied by Misses Hannan & Cobb as a millinery store and now moved on the East side of Lake Street and South of Masek's tailor shop, at which time and place all bona-fide male residents of Muskogee, above the age of twenty-one, who have re-

THIRD STREET LOOKING NORTH, MUSKOGEE

BROADWAY LOOKING WEST FROM SECOND STREET, MUSKOGEE

sided within the incorporation for six months next preceding the election will be qualified voters.

Officers to be elected:

One mayor, one recorder, five aldermen.

Witness our hands this 16th day of May, 1898.

S. B. Severs,
C. W. Turner,
W. E. Linton,
W. A. Maddin,
P. J. Byrne,
W. T. Hutchings,

Agents of the incorporated town of Muskogee, I. T.

At this election the following were the first city officials chosen:

Mayor, Patrick J. Byrne; recorder, W. R. Shackelford; city attorney, J. G. Lieber; city treasurer, Geo. H. Williams; councilmen, P. N. Blackstone, W. S. Harsha, A. W. Robb, F. B. Severs, and C. W. Turner. The desire of the voters to eliminate politics from their city affairs was shown by the fact that Messrs. Byrne, Lieber, Williams, Blackstone and Severs were Democrats, and the others were Republicans.

These officials served without compensation except a meager allowance granted to the recorder and attorney, notwithstanding the fact that they had a laborious and responsible task ahead of them. A complete municipal government must be formed and funds provided for carrying it on. The officials, assisted by some of the public-spirited citizens, went to work energetically, and soon had mapped out a plan of city government and had prepared a code of city ordinances. A board of health was created, a police system organized, including a police court. The most serious difficulty which confronted them was that of raising sufficient revenue with which to meet the necessary running expenses of the city and to provide any of the many public improvements needed, for up to this time no taxes could be levied against town lots and many of the taxable buildings were of cheap construction, not warranting a high valuation for taxable purposes.

The new administration was just beginning to get the city's affairs in fairly good shape and was formulating ambitious plans for the future when the destructive fire of February 23, 1899, occurred which laid in ashes almost the entire business section of the town. Remembering the handicaps—the embarrassing circum-

stances under which the officials and citizens were laboring, in their efforts to build a city it would seem that the sight of the smoldering remains of whole blocks of the best part of the young city might have discouraged them from attempting to carry forward their plans, already formulated, but not so; their misfortune seemed to strengthen their determination to go forward and to increase their activity in that direction. Some of the men who sustained the heaviest losses in the fire were first and foremost in their determination to build bigger and better buildings. One of the first steps taken in this direction was the formation of a good volunteer fire department which was supported in part by the city. Another step, intended to protect the future city against loss by fires, was the adoption of an ordinance which provided that no more frame buildings should be erected in the business section.

THE DESTRUCTIVE FIRE OF 1899

At half past five o'clock on the morning of February 23, 1899, numerous pistol shots and the shrieking of the railroad engines aroused the denizens of Muskogee from their slumbers to witness the most destructive fire in the history of the city. The fire originated in a cluster of three or four little, frame, Negro shacks located on the north side of Court Street, just opposite the new Federal Court building, now the Railway Exchange building. A cold, bracing wind was coming from the northwest and as the town had no fire protection, the flames spread rapidly toward the east and south. The first floor of the court building was damaged to some extent, but being one of the few brick buildings, it was saved. A frame hotel building owned by William Mann was the next to burn. From there the fire swept down Main Street, destroying all the buildings on both sides of the street, from Court Street to Broadway, and extending on eastward, the depot and Railway Hotel were reduced to ashes. The brick buildings of the First National Bank, on the southwest corner of Broadway and Main Street, and of the Patterson Mercantile Company on the southeast corner, served to prevent the fire from extending south of Broadway. The principal buildings destroyed were the Maddin Hardware Co., Garrett building, Chandler's Store, the new Turner block and Opera House, the Shackelford building, the Downing and Katy hotels, depot, freight house and telegraph

Courtesy of C. W. Turner

MUSKOGEE AFTER THE FIRE, FEBRUARY 23, 1899

Courtesy of C. W. Turner

MAIN AND BROADWAY, MUSKOGEE, AFTER THE FIRE OF FEBRUARY 23, 1899

office, including also quite a number of small buildings. The records of the Dawes Commission, the United States Indian Agent and Indian Inspector, which were located in the Turner block, were also destroyed. The new English block and the Patterson Mercantile Company's brick building were badly scorched, but only slightly damaged. While the fire was raging at its worst, one citizen who had met with a slight loss, approached Clarence Turner, bewailing his misfortune. Mr. Turner, whose loss exceeded that of any other individual, coolly replied: "Yes, it seems pretty bad, but there are more goods where these came from." Main Street, at that time, was the principal business street of the city, and while, to some, the loss seemed almost irreparable, yet, before the ashes of the ruins had scarcely cooled, the enterprising citizens began planning to build a bigger and better Muskogee.

MUSKOGEE IN 1900

The United States census report of 1900 credited Muskogee with a population of 4,254. At the beginning of the new century there were several two-story store buildings and the first two business blocks three-stories in height were being erected. At that time the Patterson Mercantile Co. employed thirty-eight people in its store and cotton gin; the Turner Hardware Co. forty-three people; Harsha & Spaulding, thirty-eight; Maddin Hardware Co., twenty-five; John Sanders, contractor, forty; the Katy Railroad, eighty-five; Dawes Commission eighty, and forty-six persons were employed in connection with the United States Court. A contract had just been awarded for the construction of the $150,000 water plant, the new Katy hotel and depot was completed and the City Council had just purchased the first steam engine for the volunteer fire department.

WILLIAM H. WOODWARD

One of the first of the newer class of merchants to locate in Muskogee was W. H. Woodward. He was born in Kingston Springs, Tenn., in 1857, and upon arriving at young manhood he located in Nashville and engaged in the sale of dry goods for several years. In the Fall of 1898 he came to Muskogee and began

business with a stock of general merchandise in the new English block, but within three months his entire stock was destroyed by fire. As soon as the English block was repaired, he started again in the same building with a new supply of dry goods, ladies' dress goods, men's clothing, etc., and for several years his store was one of the most attractive places in the city.

STREET RAILWAY

During the latter part of the year 1904, Captain Ira L. Reeves and attorney N. A. Gibson petitioned the City Council for a Street car franchise. Captain Reeves promoted the company. The street cars were ready for passengers by March 15, 1905, and on the morning of that day the first run was made to the Frisco depot and return. The first car was filled with prominent ladies and gentlemen, with Mayor S. M. Rutherford as motorman and C. N. Haskell as conductor. Mr. Haskell demonstrated his ability as a money getter by collecting $59.35 from the passengers on the first trip, the money being turned over to a committee to be held in trust for the Y. M. C. A. which had not yet been organized. On the return trip motorman Rutherford ran into a team of mules at the corner of Third and Court streets which had dared to dispute with him for the right of way. Captain Reeves was the first president of the street car company and managed the system for some years after its organization.

The street car company of today operates thirty-three miles of track, with lines extending out in ten directions from the business section of the city and employs a force of sixty-five men. Through careless, indifferent management, the rolling stock of the company has become somewhat dilapidated but the present managers are promising some material improvements at an early date.

Muskogee's first gas plant was completed on the 17th day of April, 1905. It was built by the H. M. Byllesby Company, of Chicago and was owned by the Muskogee Ice and Power Company.

The Hinton Opera House was completed and dedicated to the public on the night of December 9, 1905, with the play entitled "Babes in Toyland." Some of the seats for the opening night sold as high as $20. each, and the first night's receipts amounted to about $9,000.

RAILROAD EXCHANGE BUILDING, MUSKOGEE

MUSKOGEE ICE & POWER CO.

A few, little, private light and power plants were installed during the last decade of the past century, but immediately following that famous fire of February 23, 1899, which event the old settlers regard as the death of the old and the birth of the new Muskogee, Clarence Turner induced a few friends to join him in building a combined plant which would furnish the town with an adequate supply of ice, electric light and power, and the Muskogee Ice & Power Co. was organized and a plant erected on South Cherokee Street at a cost of $30,000. It was regarded as a great improvement for the town at the time it was put in operation, and it supplied the city's needs for several years, but the rapid growth of the city soon made it necessary to rebuild and very materially enlarge the plant.

On March 1, 1903, this plant was sold to H. M. Byllesby & Co., of Chicago, and has been enlarged from time to time, to meet the increasing demands of the growing city. The new company also covered the city with a network of pipe for natural gas, so that almost every home and many of the factories are now supplied with natural gas for fuel.

MUSKOGEE'S WATER WORKS

As early as 1899 the citizens and City Council realized the importance of securing an adequate supply of pure water for the already growing city. The Katy pond, in the north part of the city, which had been furnishing water for the engines of the only railroad and for the cotton gins, was already drying up, and the drinking water obtained from wells sunk in various neighborhoods was not of the best quality.

In 1899 Mr. H. V. Hinckley, a civil engineer from Kansas, was employed by the city to devise plans by which the city could be assured of an inexhaustible supply of pure water. After a thorough investigation Mr. Hinckley recommended that water be brought from Grand River, a beautiful stream, four miles northeast of the city. This river comes down out of the Cherokee hills and its clear, crystal water is not contaminated by the refuse from oil wells, and is free from other impurities. Muskogee was not yet able to raise any funds by taxation except upon personal prop-

erty and the cost of laying pipe and installing the necessary machinery to carry out the plans of the engineer seemed too great for the city to undertake. The city officials and citizens, however, foresaw the necessity of having an unlimited supply of pure water, if their anticipations of a real city in the future were to be realized, and within a short time bonds were issued in the sum of $150,000, and water, sufficient to supply the needs of the city at that time, was brought from Grand River. As the city increased in population the water system was enlarged, until, at the present time, the city water system has a capacity of 6,000,000 barrels per day, representing an investment of $1,200,000. No other investment has ever been made by Muskogee which exceeded in real value and importance to the future welfare of the city, the cost of its Municipal Water Works. Its superiority over that of any other system in the state was but recently demonstrated by the action of the Legislative Commission in locating the $500,000 Soldiers' Memorial Hospital in Muskogee, in preference to any of the other ten cities which had applied for it.

MUSKOGEE CITY GOVERNMENT

From the date of its incorporation in 1898 down to the year 1910, Muskogee's municipal affairs were carried on under the old aldermanic style, with two councilmen chosen from each ward and a mayor elected at large. Party politics controlled the elections and politicians controlled or dictated the selection of city employes, party allegiance rather than efficiency, being, too often the test of eligibility. As the years advanced, the rapid growth of the city called for extensive public improvements and the expenditure of rapidly increasing amounts of public funds, which created a sentiment among the taxpayers in favor of taking the city's affairs out of politics and placing them upon a purely business basis. Early in 1910 the business men of the city organized a "Charter Government Club," and advocated the adoption of the commission form of government. This form of municipal government had proven very successful in Galveston, Texas, while recovering from the results of its terrible flood disaster. Des Moines, Ia., had been operating under a commission form of government for several years and was finding it vastly superior to the time-worn aldermanic form. Numerous other progressive cities were adopting it,

HOTEL SEVERS, MUSKOGEE

OLD PRESBYTERIAN CHURCH, MUSKOGEE

and at the earnest solicitation of the business men of Muskogee, the City Council reluctantly consented to submit the proposition to the voters of the city. Franklin Miller, Myron White, R. M. Eades, DeRoos Bailey, Preston C. West, John D. Benedict, A. C. Trumbo and U. L. Jackson were chosen by the voters to write the new charter. The charter provided for four commissioners and a mayor, each to be given entire charge of one department of the city's business and each to be held responsible for the successful management of his department. The charter was adopted, and the Charter Government Club nominated a non-partisan ticket, pledged to put into effect the provisions of the charter. The politicians, however, who were opposed to the new form of city government because it meant the loss of distribution of city patronage to them, nominated a partisan ticket and elected it.

The commission form of government failed, not because it was not good, but because the officials elected to carry out its provisions had no sympathy with the reform movement in municipal affairs and made no earnest effort to put into practice, either the spirit or the letter of the charter provisions.

Wrangling over the distribution of patronage and over questions of conflicting authority among the various city officials continued until early in 1920 when the citizens drafted a new charter providing for the managerial form of government of the city. By this time a majority of the voters of the city had become convinced that the administration of the city's affairs should be conducted upon a business basis rather than as a political machine, and with that end in view Muskogee's new charter providing for the managerial form of government was adopted by a vote of the qualified electors of the city on the 25th day of February, 1920.

It provides for the election of a mayor and sixteen councilmen. The councilmen are nominated by wards on a non-partisan ticket and they, together with the mayor, are elected at large, biennially.

They appoint a city manager who has charge of all the departments of the city. The council adopts all ordinances and the mayor signs all contracts. The council appoints a city manager, city clerk, city treasurer, park board, library board and a vice mayor.

The city manager appoints all other officers and employes and has power to dismiss any of them whenever, in his judgment, the interests of the city so require. Neither the mayor nor any member of the council has any right to request or recommend any

person for appointment to any position except on the request of the manager. The manager is given full authority over the city's business and he is held strictly responsible for results.

In his first annual report to the City Council, Mr. Robert P. Harrison, the efficient city manager, enumerates the most important things accomplished during the year, among which are: No overdrafts or deficiency judgments in any department. A reduction in city taxes for the ensuing year. Paving of certain streets, heretofore begun, has been completed.

The rickety viaduct over the M., K. & T. Railroad has been overhauled and rebuilt. Police night patrol has been furnished the residence part of the city. The water works owned by the city have been repaired and strengthened. Established city automobile and blacksmith shops in which employes make necessary repairs. Abolished some useless city offices and combined others. Appointed a purchasing agent who buys all city supplies in open market at lowest cash prices. Built a fine athletic park with concrete grandstand capable of seating 2,000 people. Completed Honor Heights Park with a pretty lake and popular bathing resort.

MUSKOGEE LAW LIBRARY

A meeting of the Muskogee Bar Association was called during the month of January, 1910, for discussing ways and means of establishing a central law library for the use and convenience of the lawyers of the city. It was agreed that a library association should be formed and that as rapidly as funds would permit, a complete case library, sets of selected cases, standard cyclopedias and digests, statutes of the various states and publications of the Interior department relating to Indian lands, would be secured.

On February 6, 1910, the Muskogee Law Library Association was incorporated with about sixty members. The first board of directors were: DeRoos Bailey, C. L. Thomas, George C. Butte, Edgar A. de Meules, Sam V. O'Hare and W. T. Hutchings.

It was decided, at first to fix the membership fee at $250, and sixty-two lawyers subscribed for membership at that price. Many young attorneys, however, did not feel able to pay that fee, and in order that they might not be debarred from the use of the library, the membership fee was reduced to $50 in February, 1912, and the annual dues fixed at $25.

NEW PHOENIX, MUSKOGEE

DR. TILLY HOSPITAL, MUSKOGEE

The library of today contains over seventy thousand carefully selected volumes, including the leading Federal and State Reports and the standard textbooks on legal subjects. Aside from the State library it is regarded as the best law library in Oklahoma.

MUSKOGEE, A FINANCIAL CENTER

For the past forty years Muskogee has been the acknowledged financial center of Eastern Oklahoma. Before any banks were established the pioneer stores, the Patterson Mercantile Co., J. E. Turner, Turner Hardware Co., S. B. Severs, Spaulding Mercantile Co. and the Maddin Hardware Co. served the community as quasi banking institutions, extending financial accommodations to the farmers throughout Eastern Oklahoma.

The First National Bank was organized August 1, 1890, it being the first bank in Indian Territory to organize under the National Bank Act of Congress. Robert L. Owen, now United States Senator, was its first president, and C. H. Warth its first cashier. This bank received the hearty support of the business men, was a pronounced success from the date of its organization, and for more than thirty years past has steadily retained its rank of being the largest financial institution in this section of the country.

The Commercial National Bank, the second largest bank of Eastern Oklahoma, opened its doors for business on December 13, 1899, at the northwest corner of Broadway and Main Street. It was the successor of the Commercial Bank of Muskogee, a private institution organized in 1897 by D. H. Middleton, George H. Williams, Ira B. Kirkland, John R. Dill and several other men. Mr. George H. Barnes, a wealthy financier from Ohio, became president of the new national bank, and David N. Fink its cashier. A few years later Mr. Barnes built the office building on Third Street which bears his name, a ten-story, fireproof structure, and the Commercial National Bank was moved to this new building. Upon the death of Mr. Barnes, the cashier, Mr. D. N. Fink, was promoted to the office of president, a position which he is eminently qualified to fill.

THE EXCHANGE NATIONAL BANK

The Exchange National Bank was organized January 1, 1913, taking over the assets and good will of the Muskogee State Bank.

This bank has steadily increased its assets and has gradually grown in favor with the people from the date of its opening for business, nine years ago. One interesting feature connected with the history of this bank is the fact that no change has ever been made in its principal officers, Mr. M. Board having been its president, W. T. Wisdom its vice president and Thomas F. King its cashier, since the date of its organization.

CENTRAL STATE BANK

The Central State Bank, chartered under the Oklahoma Guaranty Bank law, began business in May, 1910, having purchased the business of the Night and Day Bank, which had been conducted by Mr. R. H. Beard. The officers of this bank are all young men, each one of whom had acquired a practical knowledge of the banking business while in the employ of the older banks. Their extensive acquaintance and good standing assured them patronage from the beginning. Mr. J. A. DeWitt is president and C. T. Thompson cashier.

MUSKOGEE NATIONAL BANK

Early in 1901, Mr. A. W. Patterson and his son-in-law, Mr. A. C. Trumbo, arrived in the city and started the Bank of Muskogee in a little box house about twelve feet square, at the southwest corner of Second and Okmulgee streets. Three years later they erected the Iowa building, a substantial four-story brick building on the same corner, and the rapidly growing bank was given better quarters in the new building. By the way, the Iowa building installed the first elevator in the city and the natives, for many months, regarded it with feelings of awe and fear. Oftentimes, they would climb the several flights of stairs rather than take chances in landing safely via the elevator. The business of the Bank of Muskogee increased rapidly and on February 10, 1908, it became the Muskogee National Bank. In 1916 this bank bought the five-story Mid-Continent building, at the northwest corner of Third Street and Broadway, and in 1918 the bank moved into its new location, where it is still conducting its extensive business. Within a month after this last removal, Mr. Patterson died and Mr. Trumbo succeeded him as president of the bank.

THE MUSKOGEE NATIONAL BANK, MUSKOGEE

SECURITY STATE BANK

The Security State Bank is Muskogee's newest financial institution, it having commenced business under the Guaranty Bank Act, on April 11, 1919. It, too, was organized and is managed by young men who had received good training in other banks. It has gained rapidly in the amount of its deposits and has made a good record during its three short years of life. Milton G. Young, its president, and Garland C. Jackson its cashier, had been connected with other banks in the city for several years prior to branching out into business for themselves.

The cash deposits in these several banks on the 31st day of December, 1921, were as follows:

First National Bank	$ 4,840,927.91
Commercial National Bank	3,499,792.54
Muskogee National Bank	2,073,247.34
Exchange National Bank	2,046,635.17
Central State Bank	931,498.86
Security State Bank	1,390,356.98
Total deposits	$14,782,458.80

Based on the United States census report of 1900, this shows an average bank deposit of $488.24 for every man, woman and child in Muskogee, which is certainly a remarkably good showing, especially when it is remembered that the whole nation is experiencing a season of financial depression.

In addition to these banks, Muskogee also has three trust companies and three building associations, all of which are in a prosperous condition.

MUSKOGEE COUNTY COURT

The Muskogee County Court is one of the largest, if not the largest court of its class, in the United States. Some time ago the Muskogee Daily Phoenix published the following account of the scope of its work:

"Measured by the volume of business transacted, Muskogee County Court is the biggest court in the world. Administering

upon the estates of approximately twenty-five thousand wards, it takes second place to the New York Probate Court in purely probate business.

"The scope of authority of the county courts in Oklahoma is wider than in any other state. Because of this, the Muskogee County Court returns more revenue by half than the District and Superior courts combined.

"Judge Enloe V. Vernor has a wider jurisdiction in both civil and criminal cases than the judge of the City Court. He has all the jurisdiction of a committing magistrate in felony cases, original jurisdiction in misdemeanor cases and jurisdiction in civil cases in which not more than $1,000 is involved.

"The County Court is also the juvenile court; it has exclusive jurisdiction in probate matters; it transacts the business of the state widows' pension law; it issues marriage licenses; it collects the inheritance tax; it dispenses the Confederate soldiers' pensions and sends old soldiers to the Confederate homes; it handles cases of insanity and its judge is chairman of the county excise board. The total value of the estates administered by the County Court will run into millions of dollars. One or two freedman estates alone are worth more than a million dollars each. At one time within the past two years, Judge Vernor had on hand about one hundred and twenty-seven thousand dollars.

"Never is his balance with the county treasurer less than $10,000. The larger part of this money comes from the sale of oil and gas leases on minors' lands."

HISTORY OF MASONRY IN MUSKOGEE

The City of Muskogee has reason to be proud of her Masonic history. Muskogee Lodge No. 28 now referred to as the "Old Lodge" was chartered November 7, 1888. The first officers were: P. J. Byrne, worshipful master; James A. Scott, senior warden; W. N. Martin, junior warden; A. W. Robb, treasurer; Frank S. Darby, secretary; Frederick B. Severs, senior deacon; Clarence W. Turner, junior deacon, and H. H. Edmondson, tiler.

John W. Markham of Webbers Falls Lodge No. 14 was the first moving spirit for the organization of a new lodge at Muskogee, but it devolved upon James A. Scott, the "Old Wheelhorse of Masonry," to do the preliminary work necessary to start.

Mr. Scott, after repeated urgings on the part of Mr. Markham,

wrote J. S. Murrow, at Atoka, grand secretary of the Grand Lodge of Indian Territory, for a petition for dispensation. This original petition for dispensation was signed by John W. Markham, James A. Scott, Clarence W. Turner, Oliver P. Brewer, H. H. Edmondson, Andrew W. Robb, Napoleon B. Moore, J. B. Cobb, Robert W. Hill, Frank S. Darby, Orange Fuller, Patrick J. Byrne, Frederick B. Severs, Pleasant Porter, Robert L. Owen and William N. Martin.

After the lodge had had sufficient practice to be efficient it went to Fort Gibson and exemplified the work in Alpha Lodge No. 12, at that place. Florian H. Nash was then grand master of the Grand Lodge of Indian Territory and granted the dispensation for the lodge under the name of Checotah Lodge and at the Grand Lodge meeting held at Fort Gibson in 1888 granted a charter under the name of Muskogee Lodge No. 28. The lodge at Eufaula had taken the name "Muscogee" but cheerfully relinquished that name to Muskogee and took the name of Eufaula No. 1.

Many of the members of Muskogee Lodge at that time, afterward became prominent in the Grand Lodge. Patrick J. Byrne was elected grand master; Leo E. Bennett was grand master, and afterward grand treasurer for many years; James A. Scott was elected grand master at Ardmore August 11, 1897, and it was during his administration that the first thousand dollars was raised for the Masonic Orphans' Home; Robert W. Hill was grand orator and deputy grand master.

The charter members of Muskogee Lodge have nearly all completed their journey; have nearly all crossed the "great divide" and gone to that "undiscovered country."

Robert W. Hill, now living in New York, and James A. Scott, in Muskogee, are still active in Masonic work. Muskogee Lodge has had a steady growth and now numbers over six hundred members.

MUSKOGEE CHAPTER, ROYAL ARCH MASONS

Muskogee Chapter of Royal Arch Masons No. 3 was granted a dispensation in the year 1890 with the following names as its first officers: Robert W. Hill, high priest; Napoleon B. Maxey, king; Patrick J. Byrne, scribe, and James A. Scott, secretary.

The first meeting of the Grand Royal Arch Chapter of Indian

Territory was held at Muskogee, November 6, 1890, and Muskogee Chapter of Royal Arch Masons was granted a charter at that meeting. Robert W. Hill, Napoleon B. Maxey, Patrick J. Byrne and Robert W. Hamilton were its first elected officers. They all became prominent in the Grand Chapter. Leo E. Bennett was elected grand secretary in 1912 and held that position until his death in 1917. He was succeeded by James A. Scott, who holds the office at this time. Muskogee Chapter is now one of the largest and most influential in the state. Robt. W. Hill, N. B. Maxey, Z. T. Walrond, H. J. Evans and J. A. Scott have each served as grand high priest.

MUSKOGEE COMMANDERY NO. 2

Muskogee Commandery was granted a dispensation October 1, 1891, and was chartered August 11, 1892. It was really brought into existence by Robert W. Hill, who was made its first eminent commander and who was also the first grand commander of Indian Territory Grand Commandery. All of the records of Muskogee Commandery and of the Grand Commandery were burned in the big fire of 1899, but old Masons say that Robt. W. Hill was eminent commander; Patrick J. Byrne, generallissimo, and Zachary T. Walrond, captain general. The first conclave of Muskogee Commandery was held in October, 1891. The commanderies of Parsons, Kan., Monett and Springfield, Mo., assisted in the work. A class of thirteen received the order of knighthood. On account of his activity in Masonic work generally, James A. Scott was selected to be the first to receive the orders of knighthood in the Indian Territory.

The Grand Commandery of Indian Territory was organized at Muskogee, December 27, 1891, and five of its officers were selected from the Muskogee Commandery, viz., Robert W. Hill, Patrick J. Byrne, Leo E. Bennett, Zachary T. Walrond and James A. Scott. Patrick J. Byrne and Zachary T. Walrond were afterwards elected grand commanders and later H. J. Evans was elected to that high office.

At the time of the consolidation of the Grand Commanderies of Indian Territory and Oklahoma, the number of the Muskogee Commandery was changed from No. 1 to No. 2 because of the fact that Guthrie Commandery had been originally chartered first.

BARNES BUILDING, MUSKOGEE

SURETY BUILDING, MUSKOGEE

Muskogee Commandery has always exercised a strong influence in the Grand Commandery. James A. Scott was elected grand commander of the new Grand Commandery of Oklahoma in 1915.

At the present time Muskogee Commandery is in a fine condition and has a membership of nearly five hundred.

MUSKOGEE COUNCIL NO. 2, ROYAL AND SELECT MASTERS

The rapid growth of Muskogee and the active interest taken by Muskogee Masons in Masonry was instrumental in the formation of Muskogee Council No. 2, Royal and Select Masters, on the 24th day of August, 1894. The names of Zachary T. Walrond, Leo E. Bennett, Napoleon B. Maxey, H. J. Evans and D. J. Eddleman appear as the first officers. The council has a large and active membership and is growing rapidly. James A. Scott is at present grand recorder of the Oklahoma Grand Council, also recorder of Muskogee Council.

BEDOUIN TEMPLE ANCIENT AND ACCEPTED ORDER NOBLES OF THE MYSTIC SHRINE

Bedouin Temple A. & A. O. N. M. S. was organized July 12, 1911. It is one of the live temples in the Imperial Council of the Shrine and has had a remarkable growth. The membership now numbers over twenty-six hundred. It has a highly drilled patrol, band and drum corps. The Bedouin Temple Building is an exclusive home for Shriners and their friends. It is a unique accomplishment and is indicative of the Muskogee spirit of doing things.

NEW LODGES

Another indication of the growth of Muskogee and of Masonry therein is the fact that two new Masonic lodges have been created, now making three in all. Oriental Lodge No. 430 was chartered February 15, 1912, and now has nearly five hundred members. It is very prosperous and is growing rapidly. Trinity Lodge, the baby lodge, was granted a dispensation December 14, 1921, and was granted a charter at the last meeting of the Grand Lodge held at Guthrie in March, 1922. This lodge gives promise of a rapid and healthy Masonic growth.

MUSKOGEE CHAPTER NO. 14, ORDER OF THE EASTERN STAR

The Order of the Eastern Star began its career in Muskogee under the name of Astra Chapter No. 14, on June 7, 1891. The name "Astra" was afterward changed to "Muskogee." The first officers of this chapter were: Mrs. Z. T. Walrond, worthy matron; Patrick J. Byrne, worthy patron; Mrs. Leo E. Bennett, associate matron; Mrs. Sallie M. Scott, conductress, and Zachary T. Walrond, secretary. The Star has been and is an auxiliary to all Masonic bodies. It has been especially active and helpful in all charity work. It has contributed much to the Grand Chapter. Mrs. Z. T. Walrond and Mrs. Sallie M. Scott have been grand matrons. Patrick J. Byrne, Zachary T. Walrond, Leo E. Bennett and William M. Crawford have been grand patrons. At this time it has an active and influential membership of over four hundred and is fully equipped with all the necessary paraphernalia to do its work effectively.

Much of the data of this sketch has been obtained from Mr. James A. Scott, who has been actively connected with the various branches of the Masonic fraternity in Muskogee ever since their beginning.

THE KNIGHTS OF PYTHIAS

Phoenix Lodge, Knights of Pythias No. 3, was instituted in its new castle hall on South Main Street, on the 8th day of March, 1888, by District Deputy Charles Hokey of Hartshorne, with twenty charter members. At midnight of that day a sumptuous banquet was served at the Katy Hotel. The first officers of the lodge were Dr. Leo E. Bennett, chancellor commander; William A. Maddin, vice chancellor, and E. R. Rulison, master at arms. The lodge grew rapidly from the time of its institution, and it took an active part in the social and civic affairs of the city. When the United States District Court was first opened in Muskogee, its first sessions were held in the castle hall of Phoenix Lodge. When statehood arrived, the Grand lodges of the two territories united into one organization. In the reorganization, Phoenix was permitted to retain its name, but its number was changed from 3 to 103. The lodge is still in a flourishing condition and has a membership of about three hundred.

INDEPENDENT ORDER OF ODD FELLOWS

The Independent Order of Odd Fellows is a flourishing fraternity in Muskogee County, being represented by eight subordinate lodges in the county. In Muskogee City there are two subordinate lodges, with a combined membership of more than six hundred. There is also one encampment (or Patriarchal branch) numbering in excess of two hundred, and one Canton (or Patriarchs Militant), which is the uniformed branch and highest degree of the Order. Besides these there are two Rebekah orders, being Muskogee Lodge No. 17, and Queen City Lodge No. 310, and one juvenile branch, the Loyal Sons, in process of organization.

Muskogee Lodge No. 38 is the oldest of all the branches of Odd Fellowship in the city and county, being chartered by the Grand Lodge of Oklahoma April 13, 1911, with 198 members. The charter was a re-issue at that time, when the two jurisdictions of Indian Territory and Oklahoma were united. The original charter was issued to Muskogee Lodge No. 25, on September 3, 1894. This lodge now has a membership exceeding three hundred.

Excelsior Lodge No. 612 was instituted in Muskogee October 7, 1913, with a charter membership of twenty-five. This lodge has had a remarkable growth and now numbers 300. Dr. W. W. Osgood, who fostered its organization, will be grand master of Oklahoma in October, 1922.

Muskogee Encampment No. 11 was instituted April 15, 1896, with thirty-six members. It has now over two hundred members. One of its members, R. H. Schofield, is a past grand chief patriarch of Oklahoma.

Wagoner Canton No. 1, Patriarchs Militant, was chartered March 27, 1897, with twenty-three members. A new charter will soon be issued changing the name to Muskogee Canton No. 1.

Muskogee and Muskogee County have been factors that count in the growth of the Order in this state. The Grand Lodge has been entertained by them a number of times, with the usual well-known hospitality of the city. Here was formed, fostered and nursed the great Eastern Oklahoma District Association of Odd Fellows, which comprises twenty-two counties and which has been a power for the Order in the state. And very few years have passed in the history of the Grand Lodge in which Muskogee has not been represented in an official capacity.

MUSKOGEE'S CLUBS

It would be difficult to find another city of thirty odd thousand inhabitants that is so well provided with as many different clubs, all working in harmony for the upbuilding of the city, as are now found in Muskogee. No petty jealousies exist among them, but a generous rivalry in all undertakings which tend toward making a better city and a better citizenship.

THE MUSKOGEE CHAMBER OF COMMERCE

Ever since Muskogee began to aspire to be a city it has maintained an active civic club. Theodore Gulick was for many years the secretary of the old Commercial Club which was in existence as far back as 1903, and he filled that office very satisfactorily. He believed in the future of Muskogee and he never missed an opportunity of sounding its praises loud and long, both at home and abroad. Following him, the versatile Col. Clarence Douglas served the city for several years as its Commercial Club secretary. He, also, was a genuine Muskogee booster, and his excellent command of the English language, coupled with a vivid imagination, enabled him to present, at each weekly meeting of the club, such glowing accounts of Muskogee's future prospects that the club members would immediately increase the selling price of their town lots, feeling sure that Tulsa, McAlester and the other towns of the Territory would soon be suburbs of Muskogee.

A few years ago the Muskogee Chamber of Commerce was organized as the successor of the Commercial Club and the membership was fixed at $25.

Mr. C. C. Lydick, a bright, young Muskogee lawyer, is now the active secretary of the Chamber of Commerce and is filling that position very satisfactorily.

THE ROTARY CLUB

The Rotary Club is one of the most active of the civic clubs of the city at this time. At this writing it has taken possession of the city in its attempt to entertain the annual Rotary convention of the district composed of the Rotarians of the states of Missouri, Kansas and Oklahoma. The first Rotary Club was organized in Chi-

TOWN AND COUNTRY CLUB, MUSKOGEE

ELKS CLUB, MUSKOGEE

cago in 1905 and the order has grown very rapidly in numbers and in popularity. The Rotary Club of Muskogee was organized on September 20, 1912, with 156 members, Mr. Stanley Shelor being its first president. Its motto is: "He profits most who serves best," and its members seem to be striving hard to make its motto a verity.

THE KIWANIS CLUB

The Kiwanis Club of Muskogee sprang into existence on the 28th day of October, 1919. It now has 121 members, most of whom are active business men of the city. The Kiwanians have demonstrated their desire to promote the best interests of the city, first, by advocating the managerial form of government for the city and by heartily supporting the managerial system since its adoption. This club has also taken an active interest in securing the three bridges which will soon span the Arkansas River, thereby adding materially to Muskogee's trade territory. During the past year the Kiwanis Club has succeeded in getting the names of the streets of the city marked with neat placards at the street intersections and has assisted in building an auto tourists' camp in the southeastern section of the city which campers have pronounced the most complete in its furnishings of any along the tourists' highways.

LIONS CLUB

The Lions Club of Muskogee was instituted on October 24, 1916, with forty charter members. The present membership numbers 112. Of the original forty, the following are still active members: T. O. Bass, F. E. Coss, Dr. A. E. Bonnell, Dr. C. M. Fullenwider, A. D. Peabody, W. L. Lindhard, W. B. Butz and Tams Bixby.

The successive presidents of the club have been Judge H. C. Thurman, J. W. Cosgrove, E. S. Emmert, O. H. P. Brewer and A. D. Peabody.

The Lions' code of ethics includes loyalty to country, home, city, business and customers.

Its loyalty along these lines has been exemplified—First: By its active coöperation with the Government during the recent World war in selling Liberty Bonds and supporting the Red

Cross. Second: By its support of the United Charities of the city, its agitation for good roads and clean streets, and its support of a free soup kitchen for the down-and-outers. Third: By its support and encouragement given to the Boy Scouts of the city in promoting their activities.

THE CIVITAN CLUB

One of the youngest clubs in the city is the Civitan Club. The local club was organized in June, 1921, and now has a membership of sixty. This club is a Muskogee branch of the International league of Civitans which was established only a few years ago, having for its main object the inculcation of the principles of good citizenship. This club has also interested its members in encouraging the building of good roads in Muskogee County, especially those extending in a southeasterly direction from Muskogee.

THE WOMEN'S CLUBS OF MUSKOGEE

Muskogee is well supplied with active Women's Clubs of every kind—civic, literary, musical and patriotic. Of the civic clubs, the Noonday Luncheon club is the largest. Although it is but three years old, it has a membership of 400. It sponsored community service for the city and raised $5,000 for the first year's work. The special work to which this club is devoted is the welfare of the girls of the city, and to aid in this task they have established a beautiful camp for the purpose of giving the girls a place to recreate and spend their vacations. The Noonday has been fortunate in being able to secure several prominent lecturers, the latest being Judge Ben Lindsey of Denver, Colo.

The Muskogee Community Service is only two years old but it has accomplished much good work in that time. The Girl Scouts number several hundred, are organized into several different groups and each group is given an occasional outing at one of the Community Service Camps. A large hall, reception room and kitchen are placed at their service, which are used not only by the scouts but by other groups of girls and women. Public tennis courts and playgrounds have also been established by the Community Service.

The Civic League of Women Voters has a thriving branch in

FIRST LITERARY CLUB OF MUSKOGEE

Muskogee, as have also the Women's Democratic and Republican Clubs.

Women's Literary Clubs in Muskogee are numerous, the oldest being the New Century Club, founded in 1902, it having been in existence longer than any other club of its kind in the state. The women also have a Shakespeare Club, a History Club, a Delphian Club, a Halcyon Club, a Fortnightly Club and other smaller ones.

The Musical Arts Club is the only large club which devotes its time solely to music. The Saturday Music Club flourished for many years but it was abandoned about 1918.

The Muskogee Indian Chapter of the Daughters of the American Revolution is an enthusiastic, hard-working group of patriotic women. It secured the enactment of a state law prohibiting the desecration of the American flag, and it has rendered valuable service to the city and state in various ways. About eighty-five women are enrolled as members of this club.

The United Daughters of the Confederacy and the Women's Relief Corps are also represented in Muskogee by active Chapters.

The Women's Christian Temperance Union has a large membership in the city and their activity is shown by the fact that they entertained the state convention in 1921.

No city in the Southwest excels Muskogee in natural advantages, healthful surroundings, transportation facilities, educational advantages, civic righteousness, religious sentiment and its splendid citizenship.

It is located on a gently rolling plain, with natural drainage toward the Arkansas River, three miles eastward; it has an abundance of oil, natural gas, coal, wood, gravel, sand and building stone within easy reach; it has four lines of railroads extending out in eight different directions; it has a system of public schools not excelled by any city in the Southwest; it has numerous civic organizations, all vieing with one another and working harmoniously toward building up a bigger and better city; it has twenty-two churches representing nearly all of the leading religious organizations; and it has an intelligent, public-spirited citizenship which has demonstrated its utilitarianism by casting aside all personal and political prejudice and establishing a business form of city government under the managerial system.

Muskogee, in brief, has a population of 35,000, sixty lawyers, forty physicians, 260 teachers, twenty-four hotels, thirty automo-

bile shops, seven banks, six wholesale houses, fifteen drugstores, fifteen furniture stores, eight dry goods stores, twelve clothing stores, ten shoe stores, twenty-five groceries, ten lumber companies, ten machine shops, thirty oil companies, two oil refineries, four packing houses, ten printing shops, two daily and weekly newspapers, and numerous other shops of various kinds.

The Auto Manufacturing Company employs 100 men, the Cotton Oil Mills sixty men, the Oil Refineries 125 men, the Gas & Electric Company seventy men, the wholesale groceries 225 men, the Muskogee Tool Company fifty men, the Muskogee Iron Works fifty men, the Midland Valley Railroad Shops 325 men, the Kansas, Oklahoma and Gulf Railroad Shops 200 men, the M., K. & T. R. R. Shops 250 men, while the broom factories, mattress factories, tent and awning factories, laundries and other smaller shops and factories give employment to hundreds of men and women.

CHAPTER XXV

PUBLIC SCHOOL SYSTEM OF MUSKOGEE

ITS RAPID GROWTH AND DEVELOPMENT—FIRST BOARD OF EDUCATION—MOVE FOR BONDS—NO PULL OR GRAFT PERMITTED—SCHOOL BUILDINGS AND THEIR COST—MUSKOGEE'S MISSION SCHOOLS—HARRELL INSTITUTE—HENRY KENDALL COLLEGE—BACONE UNIVERSITY—CATHOLIC SCHOOLS—ST. JOSEPH'S COLLEGE—UNITED CHARITIES OF MUSKOGEE—OLD FOLKS' HOME—DAY NURSERY—STATE SCHOOL FOR BLIND—MUSKOGEE'S NEWSPAPERS.

Muskogee's public schools are the pride of the city. For efficiency and thoroughly practical work, they are not excelled by those of any other city in the southwest. Many families have been induced to locate here solely on account of the excellent educational advantages afforded to all of the rising generation. This growth and development is remarkable when it is remembered that prior to the passage of the Curtis Act of Congress, June 28, 1898, no provision had been made for the establishment of public schools anywhere in the Indian Territory. The Curtis Act provided that towns of 200 or more inhabitants might incorporate under the statutory provisions of the State of Arkansas, and elect town or city councils thereunder. The following provision was also made in that Act for schools:

"Such councils may also establish and maintain free schools in such cities and towns under the provisions of the Arkansas statutes," but the rate of taxation for all public purposes was limited to two per cent of the assessed valuation of the taxable property.

As no real estate could yet be taxed, and as much of the taxable property consisted of cheaply constructed box houses, the outlook for sufficient revenue with which to meet all municipal expenses, including schools, was not very encouraging. But, possessing unbounded faith in future developments, the people cheerfully taxed themselves to the maximum limit, and began in earnest to provide for free schools.

FIRST BOARD OF EDUCATION

The first Board of Education elected a few months later, consisted of Captain W. C. Trent, President; Thomas A. Samson, Jr., Secretary; W. N. Martin, W. T. Hutchings, J. B. Torrans and O. F. Beebe.

The first year's record of the proceedings of this Board was destroyed in the disastrous fire of February 23, 1899, but old residents remember that the first public school was opened in a two story box house which was located on South Second Street, where the City Fire Department now has its headquarters, with four teachers and an enrollment of 200 pupils. During the next year, beginning in September, 1899, ten teachers were employed and the enrollment of pupils increased to 350. H. M. Butler was the first city superintendent, being employed for the term ending in May 1900 at a salary of $100 per month. For the year beginning September 1, 1900, the Board abolished the position of Superintendent, but retained Mr. Butler as Principal, at $70 per month. On the 30th day of May, 1901, Dr. W. F. Wilson, of Fayetteville, Arkansas, a teacher of forty years' experience, was employed as superintendent, at an annual salary of $1,000.

In addition to the old frame building, above mentioned, the Board now secured the use of the old W. C. T. U. building which stood over on Cherokee Street and in September 1901, opened school with 646 pupils and eight teachers. A school for colored pupils, was also started this year, in the north part of the city, with four teachers.

On July 10, 1902, Miss Bessie Trent was chosen as superintendent at a salary of $700 per year, and during the next year, she was retained at a salary of $1,000.

On July 1, 1905, Charles W. Briles of Texas was elected superintendent to succeed Miss Trent, at an annual salary of $1,500 and remained in charge of the city schools for four years, when he resigned to take charge of one of the state schools.

The first step toward building school houses was taken by the Board of Education, July 21, 1902, by authorizing the issuance of school warrants in the sum of $40,000, payable $5,000 each year with interest at the rate of eight per cent per annum. At that time there was no law authorizing towns or school districts in Indian Territory to issue bonds for any purpose, but during the

summer of 1902, Congress was induced to furnish relief to the towns by enacting a law providing that incorporated towns of two thousand or more inhabitants might issue bonds for the construction of sewers, water works and schoolhouses, subject to approval by the United States District Court. Upon the passage of that law, the Board of Education annulled its resolution authorizing the issuance of building warrants, but on account of various complications, no further steps were taken toward erecting school buildings during that year.

MOVE FOR BONDS

On May 11, 1903, however, the Board adopted a resolution requesting the City Council to call an election for the issuance of bonds with which to build two ten-room buildings for white children and an eight-room building for colored children. It is interesting to recall that quite a discussion arose at the meeting of the Board, concerning the size of the two proposed white school buildings. Some of the members argued that the town might never have pupils sufficient in number to fill two ten-room buildings and that it would be a waste of money to construct larger buildings than the town would need. Others contended that Muskogee would increase in population and that by providing two ten-room buildings, they could take care of the pupils for many years to come. After prolonged discussion the Board decided upon the two larger buildings, and the minutes of the Board recite the fact that "in the opinion of the Board these buildings will be sufficient to supply the needs of the town for several years to come."

Mr. D. N. Fink and the writer became members of the Board of Education immediately following the adoption of this resolution and were destined to serve in that capacity for the following ten years. This was the formative period of Muskogee's excellent school system and also the period of the city's most rapid growth. Instead of the three buildings first provided for, being sufficient to supply the needs of the city "for several years to come," the last shingle had scarcely been placed upon them, when it was found necessary to supply additional room for the increasing number of pupils, and for several years thereafter, the Board was kept busy, hunting and purchasing new sites, planning and contracting new buildings, selecting and purchasing new furniture,

fixtures and supplies, finding new teachers, outlining courses of study and providing the funds for all of these varied and increasing demands. In the meantime it frequently became necessary to provide temporary accommodations for new pupils, while new buildings were being constructed. Nightly meetings of the Board of Education in those days were not unusual, and among the members who rendered faithful service for one or more terms were: Capt. W. C. Trent, Dr. A. E. Bonnell, D. N. Fink, H. M. Chestnutt, Judge R. P. deGraffenreid, J. W. Stewart, Fay Todd, W. F. Moffatt, W. H. Davis, J. N. Wilkinson and B. A. Randle.

NO PULL OR GRAFT PERMITTED

It is a well-known fact that petty jealousies, personal preferences, political pull, a desire for personal gain or a desire to favor one's relatives or friends, too frequently dictate the acts and policies of Schools Boards—and invariably prove detrimental to the best interests of the schools, but a personal acquaintance with every member of the Muskogee Board of Education from its beginning down to this year of our Lord, 1921, warrants the statement, and it is recorded with pride and pleasure, that, at no time, have the members of this Board ever manifested any disposition to be guided by selfish motives, but always ready to take whatever action was necessary to promote the best interests of the schools. Upon one occasion the mayor of the city undertook to instruct the Board to favor his friends in making purchases, but he received such an emphatic rebuff that his demand was never repeated. The high standard of Muskogee's present school system is due, in great measure, to the unselfish conduct of the men who have served on the Board of Education.

During the summer of 1904 the city's first two public schools, Jefferson and Washington, were constructed.

In September, 1905, the Muskogee High School was organized with sixteen pupils, in one room of the Jefferson building. D. Frank Redd, principal of Jefferson School, also took charge of the high school department. As the high school enrollment increased, the classes were shifted about from place to place, for awhile occupying vacant store rooms, and later, using rooms in the Kendall College building. The Central High School building

was completed in 1910 at a cost of $225,000, and a few years later its size was doubled.

Edwin S. Monroe succeeded Mr. Briles as City Superintendent in 1909, and remained in charge of the school for the next ten years. Superintendents Briles and Monroe were thoroughly practical educators and rendered valuable service to the cause of education in the city.

SCHOOL BUILDINGS AND THEIR COST

Within the past eighteen years the Muskogee school district has erected and is now maintaining the following public schools:

	Cost of Buildings.
Central High School	$ 416,682.31
Junior High School	292,634.44
Washington School	40,907.80
Jefferson School	42,276.11
Longfellow School	61,919.06
Whittier School	59,405.00
Franklin School	32,260.30
Sequoyah School	27,186.95
Irving School	60,569.66
Houston School	68,659.44
Edison School	53,395.74
Manual Training High School	52,154.15
Dunbar School	26,461.17
Douglas School	23,981.78
Langston School	4,402.37
Portable Buildings	7,156.37
Extra furniture and equipment	39,721.58
Total cost of school buildings	$1,309,774.23

The cost of maintaining the city schools during the past year amounted to $439,018.15.

There were employed during the year, 211 white teachers and forty-one colored teachers.

It would be difficult to find another city of 40,000 population whose public school system would show such rapid growth and development.

MUSKOGEE MISSION SCHOOLS

HARRELL INSTITUTE

Prior to 1898 there were no public schools in Indian Territory and the major part of the educational work was carried on by the mission schools established by the various religious denominations. White and Indian children attended these schools together and for many years they afforded the young people the only opportunity available for securing an education and scores of our most intelligent men and women of both races are the product of these schools. The Methodists were the first to establish a school in Muskogee and for eighteen years prior to 1896, Dr. Theo. F. Brewer directed the work of the school which became known as Harrell Institute. On May 26, 1896, he resigned, against the wishes of his patrons and was succeeded as president by Dr. W. R. Thornton. Probably no man has ever resided in this section of the country who has been more universally beloved than Doctor Brewer. He is a genuine Christian gentleman, earnest and energetic in every task which he undertakes, and he is still serving the Master in the pastorate of the Methodist Church at Vinita, Oklahoma. Harrell Institute, which had developed into a three story brick building with frame dormitory adjoining, located on East Okmulgee Avenue, was destroyed by fire in 1899. It was never rebuilt but was succeeded by the Spaulding Institute which was located a few blocks farther east.

HENRY KENDALL COLLEGE

The first church organization in Muskogee was formed by the Presbyterians, under the leadership of Rev. Timothy Hill who is credited with having preached the first sermon in the village. Some time afterward the officials of the church established a little private school for the children of their parish. A little later Miss Alice Robertson, present member of Congress, established the Minerva Home, a school for girls. As the population of the village increased the demand for more extended educational facilities became more pronounced, and out of these small beginnings grew Henry Kendall College, in the organization of which Miss Robertson took a very prominent part. From 1885 to 1892 it was con-

HENRY KENDALL COLLEGE (PRESBYTERIAN) TULSA

HARRELL INTERNATIONAL INSTITUTE, MUSKOGEE

ducted as a boarding school for white and Indian girls. In 1893 boys were admitted as day students. In 1894, with the assistance of Henry Kendall, a wealthy member of the Presbyterian Board of Home Missions, new buildings were added and it began to assume the appearance of a real college.

By 1895 the school consisted of a two story building for girls, a two story dormitory for boys, a two story class room building and a two story boarding house. All of these buildings were of frame structure and located in what is now the center of the business section of Muskogee, on the block north of Okmulgee Avenue, between Second and Third streets. In 1898 the Church Board secured title from the Creek Nation to a beautiful tract of twenty-three acres, located on Kendall Hill, overlooking the town, lying between Eleventh and Fourteenth streets and extending from Boston Avenue to Elgin Avenue and three substantial brick buildings were erected thereon. Rev. W. R. King, a pioneer in mission school work, was at this time, president of the college. He was an able educator, but after a few short years of service, he was transferred, by the church authorities to St. Louis, where he was assigned to a broader field of missionary work. In 1899 Rev. A. Grant Evans succeeded Dr. King as president and remained in charge until the church authorities decided to move the school to Tulsa. Soon after statehood (1907) Rev. Evans was selected as the first president of the State University.

BACONE UNIVERSITY

Bacone University, a Baptist institution of learning, located two miles northeast of Muskogee, promises to be the most permanent of all the denominational schools established in this section of the country. Its origin may be traced back to a little mission school house in Tahlequah, with Rev. Almon C. Bacone as organizer and principal teacher. Rev. Bacone came West in 1878 and was employed by the Cherokee Board of Education as principal of the Male Seminary at Tahlequah. He soon became intensely interested in the education of Indian boys and became convinced of the importance of giving them religious, as well as academic training.

With the assistance of the Baptist Home Mission Society, he started his little Church School in Tahlequah which rapidly gained

favor with the Indians. In 1884 the Creek Council donated the present site and Rev. Bacone in the following year, came to Muskogee and began to build the present Bacone Indian University. Pupils were admitted from various Indian Tribes, good teachers were employed and from the date of its beginning, to the present time, it has gradually grown in favor among the Indians. Rev. Bacone devoted his time and energy to the task of building up this school and keeping it filled with Indian pupils until the date of his death, covering a period of about thirteen years, and he was buried near the institution which still bears his name.

In 1891 Rev. Bacone reported forty-four Indian students in attendance, and that from its organization to 1891, 663 Indian students had been enrolled, representng ten different tribes.

In June, 1897, Dr. J. H. Scott was appointed president of the University and remained in charge of it for several years.

In 1910 Dr. J. Harvey Randall was appointed president of the University and remained in charge of it for eight years. Dr. Randall was an earnest, Christian gentleman, and under his supervision, the school continued to grow although he was prevented, for want of sufficient funds, from enlarging the boarding capacity of the school. Doctor Randall retired from the presidency of the University in 1918 and died in Muskogee during the following year.

On the first day of July, 1918, Dr. Randall was succeeded as president by Dr. B. D. Weeks. The new president was a comparatively young man, quiet in appearance, but a close observer of men and affairs, a thorough student and a gifted minister of the Gospel. He soon conceived the idea that in order to build up a great Indian University it was necessary to get into close touch with the real Indians and tell them, face to face, what the University was doing and what it hoped to do. Accordingly, he visited the Indians in their humble homes out in the hills, he conducted religious services, sometimes with the assistance of an interpreter. and as he manifested an interest in their welfare, they responded by demonstrating their interest in the welfare of the University. The school is at this time crowded to its capacity with Indian boys and girls, and the financial aid voluntarily tendered by wealthy Indians, has already made it possible for the University authorities to expend nearly $200,000, in erecting and equipping additional buildings, and plans are being made for a group of

builings to cost $300,000 more. The "consummation devoutly to be wished" on the part of Dr. Weeks is to build a religious institution of learning that will accommodate not less than 500 Indian students, and in this undertaking he will have the sympathy and hearty cooperation of both white and Indian citizens.

Bacone Indian University is rapidly becoming one of Muskogee's really big institutions.

CATHOLIC SCHOOLS

The Catholic denomination, too, has done its share in Mission School work. In 1890, eight years before Muskogee had public schools, Father Thomas of Sacred Heart Mission, came to Muskogee and built a church and little school on South Second Street. Father W. H. Ketcham, a very estimable young man, was sent to take charge of the Mission. After remaining here for a while, Father Ketcham was sent to Antlers, where he built up quite a flourishing boarding school. A few years later he was called to Washington to supervise the work of Catholic education among all the Indian tribes. In this position he displayed excellent executive ability and acquired great influence over the cause of Indian education throughout the United States. He died quite suddenly and unexpectedly, a few months ago, while on a visit to Western Oklahoma.

The little mission established here, grew slowly but surely, and in 1896 additional buildings were erected to provide for girls who resided outside of Muskogee, the Institution assuming the name of Nazareth Institute.

ST. JOSEPH'S COLLEGE

In September 1903, the Brothers of the Sacred Heart arrived in Muskogee to assist in pushing forward the work of Nazareth Institute, afterwards known as Nazareth College, which had located on South Second Street several years prior to that time. One of the first tasks of the Brothers was to establish a boarding department to accommodate the increasing enrollment of boys. A commodious building was soon added to Nazareth College, but it soon became necessary to furnish further relief from the crowded condition of the school. During the early part of the year 1909,

the citizens of Muskogee donated to the Brothers ten acres of ground located in the eastern suburbs of the City on Alamo Heights, and a substantial four-story brick and stone building was erected. On December 2, 1909, this new Catholic School was opened and christened "St. Joseph's College." By 1920 the crowded condition of the school made it necessary to convert the Chapel into a dormitory and build an addition to the main building.

This school maintains complete preparatory, academic and scientific departments, and during the past year it enrolled 260 male students.

The buildings now occupied are valued at about $75,000, and are well lighted, well planned, and include one of the largest gymnasiums in the State.

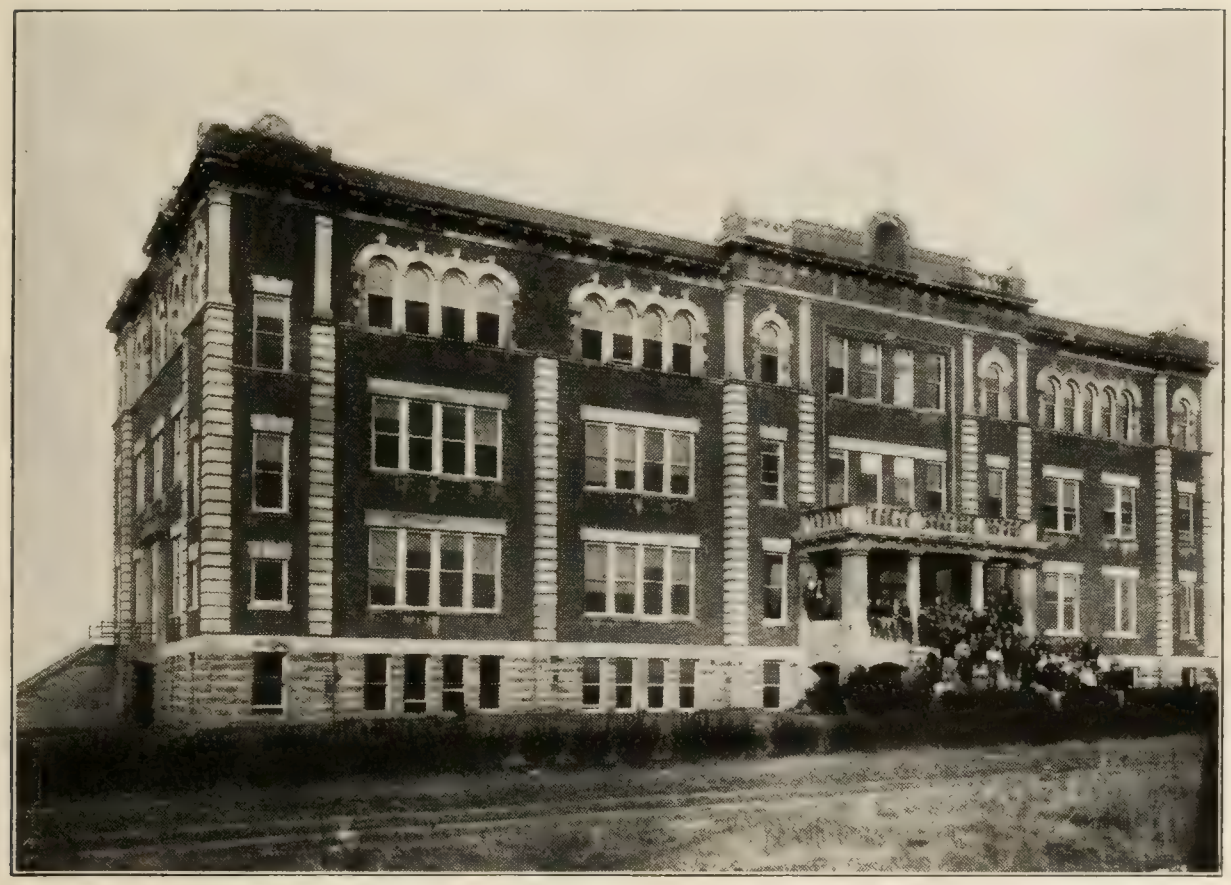
Brother Wilferd, the President of the College, and Brother Florissant, the Vice President, are supported by a faculty of twelve competent assistants.

UNITED CHARITIES OF MUSKOGEE

It has always been a matter of pride that Muskogee has cared well for the poor and unfortunate people within her gates. Previous to 1915, several organizations did this work, with the help of a generous public, but believing that a central organization would be more effective as well as more economical, a union of these several activities was effected in January, 1915, under the name of "The United Charities of Muskogee." This embraced the work of the Visiting Nurse, the Day Nursery, The Old Folks' Home, the Sewing School, and the general Relief and Service department. Two other branches of work were added later, the Child Welfare and the Baby Clinic. The United Charities has been particularly fortunate in its officers and Committees, all taking active interest in all branches of the work and working together with the greatest harmony.

Miss Maud Severance from Kansas City, was the first Superintendent, assisted by Mrs. Winifred Brown. When Miss Severance resigned after four months' service Mrs. Brown was elected to fill her place and how admirably she has carried on and enlarged the scope of the work, is well known to all residents, not only of Muskogee, but all over the state of Oklahoma.

The officers, members and workers of these United Charities do



ST. JOSEPH'S COLLEGE, MUSKOGEE

not believe in that charity which hands out food, clothes or money, without question, but in that charity that helps the needy to help themselves, that kind of charity that puts them on their feet, physically, morally and financially. Work is found for the idle, temporary relief is given when necessary, expert medical help or advice as needed, nourishment and a home for the little children and the aged. Very careful records are kept of all cases. In fact the office records make deception or duplication an impossibility.

In September, 1919, the organization known for five years as the "United Charities of Muskogee," was incorporated under that name and a charter from the State of Oklahoma was received, making it possible to own or transfer property. Two pieces of valuable property are at present owned by the United Charities, namely, "The Day Nursery" and the "Old Folks' Home." Both are unincumbered.

PLAN OF ORGANIZATION

The management of the United Charities is vested in a Board of Directors of fifteen members elected by the contributors to the Association at an annual meeting held during the second week of November of each year. The officers are a president, vice president, secretary and treasurer.

There are seven standing committees, as follows:

1. Finance and Membership.
2. Service and Relief.
3. Old Folks' Home.
4. Day Nursery.
5. Visiting Nurse.
6. Sewing School.
7. Child Welfare.

Each committee is composed of five members of the Association, the chairmen being appointed by the president. These several committees have general supervision over the work in their departments.

THE VISITING NURSE

This branch of the work is well looked after by a graduate nurse. The work includes bedside and instructive care to all persons in need of such.

Prenatal care and instruction is given and the expectant mothers are given the closest supervision. Much attention is given to these cases and the nurse attends all maternity cases and looks after both mother and child. Instruction in the proper feeding and the care of young children is fully demonstrated.

The Baby Clinic is personally conducted by the nurse, who also looks after all follow-up work. Both instructive and nursing care given.

The Metropolitan Life Insurance Company's calls are taken care of by this organization and the remuneration for these calls helps defray the salary of the nurse.

THE OLD FOLKS' HOME

When the various charitable activities were united in January, 1915, the Old Folks' Home had been in existence nearly two years, having been planned to meet the needs of such old people as were not necessarily paupers, but were needing a home for their declining years. During the first year under the United Charities, fourteen people between the ages of 70 and 87 were cared for. One was sent to the Insane Asylum and four were buried in the lot at Greenhill Cemetery given by the City of Muskogee for that purpose. In the years that have followed, no deaths have occurred up to the present time, and no serious illness has afflicted them, only the physical burdens of old age.

All of the people in this Home have led busy, honest, Christian lives, and have only reached their present condition of poverty through misfortune or death of relatives. All are educated, refined, cleanly people, all industrious in their feeble way. A large garden, a flock of chickens and a large yard keep the old men busy while the old ladies, with the help of a good matron, attend to the duties of the house, as well as making quilts, doing patching and caring for babies for the neighbors.

Until November, 1919, the residence at 2103 West Okmulgee was rented to house these old people. They were cramped for room and at that time the property at 328 Callahan Street was purchased for $10,000. This house contains seventeen rooms at the present time and is surrounded by a lot 200 feet square; has a good garden spot and many shade and fruit bearing trees. In some cases an old person is able to pay a small sum for her or his care in the

MUSKOGEE DAY NURSERY

OLD FOLKS' HOME, MUSKOGEE

Home, but the majority are not, and no distinction in surroundings or care is made between the two classes.

The public spirited people of Muskogee have upheld this activity from its start and have been most generous in giving to this worthy object and by their generosity we have been able to make the declining years of so many old people more pleasant and comfortable.

THE DAY NURSERY

The Day Nursery has just closed another year and has proved its usefulness in such a creditable manner that the public will realize its vast importance as long as such an institution is needed. When mothers must work, some organization must care for the children. The Nursery meets many emergencies. It serves the Juvenile Court many times in caring for some child until final disposition can be made of it. Sometimes it is a constant factor in a child's life, but in any and every case the workers at the Nursery give the children under their care good food, fresh air, sunshine and sleep.

The Nursery is free from any institutional atmosphere. The little ones are carefree and happy. The older children, of school age, have small duties to perform which teach them usefulness and their care for the younger ones is indeed a treat to behold.

Many improvements have been made in the Nursery during the past year. A new building for the boys, a wading pool, and a hospital that occupies a separate building in the rear of the main buildings are all sources of comfort to the children. These improvements were all made possible by the generosity of Hon. Thos. H. Owen and his wife, who have ever been stanch friends to the Kiddies in the Nursery.

There has been no serious illness during the past year. For this we believe that the hospital, where isolation can be quickly resorted to, is largely responsible.

The largest day's attendance was 52, the smallest, 28.

STATE SCHOOL FOR BLIND

On January 3, 1898, Miss Lura A. Rowland, an educated blind woman, established the first school for the blind in this sec-

tion of the country, in one of the old Federal fort buildings at Fort Gibson. She had but little capital, but by her untiring energy she succeeded in gathering in quite a number of blind children, both white and Indian, who had never had the opportunity of attending school. She did not reject any applicants because of inability to pay for their board and tuition, but took care of all who came regardless of their financial status.

The interest in the welfare of the blind children of the state which this little school aroused resulted in the location of the Oklahoma State School for the Blind at Muskogee a few years ago. The state school is now located just outside of the eastern suburbs of Muskogee, and in it 126 blind pupils are enrolled. About $400,000 have been invested in buildings and grounds and all of the buildings are fireproof. They consist of a three-story brick administration building, cottages for boys and girls separately, laundry, dairy building and other outbuildings. The dairy is managed by the blind boys under the supervision of a competent dairyman, and is one of the best dairies in the state.

MUSKOGEE NEWSPAPERS

The Indian Journal, a weekly newspaper, was first published in Muskogee in 1876. It continued, under the management of Dr. Leo Bennett until 1887, when the printing plant was destroyed by fire. Doctor Bennett then transferred the Journal to Eufaula, where he continued its publication until the first day of January, 1888, when he sold his interest in the paper, and established the Weekly Phoenix in Muskogee February 17, 1888, with Frank C. Hubbard as his associate editor. The Journal and Phoenix were both devoted, very largely, to the publication of articles of special interest to the Indians.

The principal advertisers in the first issues of the Phoenix were: Turner & Byrne, farm implements; Wm. A. Maddin, contractor; Charley Moore, painter; J. A. Patterson & Co., general store; Joseph Sondheimer, hides and wool; John O. Cobb, drugs; S. B. Severs, harness and saddles; J. E. Turner & Co., general store; Fount Crabtree, meats; F. B. Severs, general store; Simon Gavagan, drugs, and Reuben A. Evans, horses and mules.

W. N. Martin was postmaster, Robt. L. Owen was United States Indian agent, Rev. J. Y. Bryce was pastor of the Methodist

"CITY OF MUSKOGEE" AT WHARF, HYDE PARK

Episcopal Church and Dr. M. F. Williams was the Presbyterian minister.

While the Phoenix advocated a square deal for the Indians, it soon began to favor the allotment of Indian lands, and from the time of the arrival of the Dawes Commission in 1893, it consistently supported that body in its efforts toward consummating and executing agreements with the various tribes. During its early years the Phoenix gave a liberal amount of space to Indian education and it devoted a column or more each issue to publishing letters from teachers. For several weeks the Teachers' Column carried on an earnest discussion of the question: "Does heat come from the Sun?" One teacher boldly supported the affirmative and clinched his argument by asserting that it is customary to carry an umbrella above our heads to ward off the sun's heat. Another teacher just as boldly advocated the negative and proved it by showing that as we approach the sun, the atmosphere gradually gets colder.

On the 25th day of August, 1901, the first issue of the Daily Phoenix appeared with Matthew R. Moore as editor. A few months later, Col. Clarence Douglas, who had been connected with the Dawes Commission, took charge of the Daily and Weekly Phoenix, as editor-in-chief, and under his direction, the Phoenix soon took rank with the best newspapers of the new Southwest. When Tams Bixby retired from the chairmanship of the Dawes Commission, he assumed control of the Phoenix and under his active management the daily was enlarged and much improved.

THE MUSKOGEE TIMES-DEMOCRAT

On September 1, 1896, Theo. W. Gulick, a pioneer newspaper man, began the publication of the Muskogee Weekly Times, and about January 1, 1897, the Daily Times, a four-page publication, appeared. Soon afterward another weekly publication, called the Muskogee Democrat, was launched, but the two papers were later combined under the title of the Times-Democrat.

Mr. D. J. Eddleman, an old newspaper man, bought the Times not long after its establishment, and for awhile, Mr. Gulick was retained as its city editor. Later on Mr. John B. Kesslar purchased the Times and continued its publication. Soon after the Times and Democrat were combined, Mr. Eugene Kerr got control

of the paper and both the daily and weekly were materially improved. For several years past Mr. Charles Looney has had charge of the Times-Democrat as its editor-in-chief and manager.

The Phoenix advocated the principles of the Republican party for many years after its first appearance, but of late years is independent in politics, while the Times-Democrat is the organ of the Democratic party.

The Phoenix is a morning paper and the Times-Democrat is an evening paper, the two publications being the leading newspapers of Eastern Oklahoma.

About July 1, 1908, Mr. Gulick, who was a very enthusiastic newspaper man, began the publication of Gulick's Weekly Review, which was discontinued soon after his death, when the paper was about two years old.

OUR BROTHER IN RED

About 1880 the publication of a paper called "Our Brother In Red" was begun by Rev. F. N. Moore, a Methodist minister. It was published in the interests of the Methodist Episcopal Church, its motto being "Christian Education, the Hope of the Indian." It was published monthly for several years, but in 1887, Dr. T. F. Brewer and E. W. Brodie assumed control of it and changed it to a weekly publication. It was specially devoted to the task of Christianizing the Indians.

HIGH WATER, ARKANSAS RIVER, EAST MUSKOGEE, MAY 27, 1915

ARKANSAS RIVER

CHAPTER XXVI

MUSKOGEE COUNTY TOWNS

FORT GIBSON—WHEN ARKANSAS RIVER WAS NAVIGABLE—EVELINE—HASKELL—CHURCHES—BOYNTON—BRAGGS—WEBBERS FALLS—PORUM—OTHER TOWNS—OKLAHOMA FREE STATE FAIR.

In many respects, Fort Gibson, located seven miles east of Muskogee, is the most interesting place, from an historic standpoint, in the State of Oklahoma. In 1824, before the Cherokees and Creeks, with the possible exception of a few wandering bands, had been compelled to abandon their Eastern homes and take up their abode in this unknown and uninhabited country, the United States Government sent Matthew Arbuckle, colonel of the Seventh Regiment, United States Infantry, with a battalion of soldiers, to establish a frontier outpost, for the purpose of suppressing the Indian wars and insurrections of the uncivilized tribes that roamed over the vast unknown domain between the Arkansas River and the Rocky Mountain region. The site selected was an ideal one, located as it was on the summit of a gently sloping hill, overlooking the Grand River and within sight of the point where the Grand, Verdigris and Arkansas rivers unite to form the greater Arkansas.

In the summer of 1832 Washington Irving traveled overland from St. Louis to Fort Gibson, accompanied by a few friends and from this point started westward on his trip which is so minutely described in his book, "A Tour on the Prairies." In the first chapter he gives the following picture of this section of the country as it appeared to the tourist, ninety years ago:

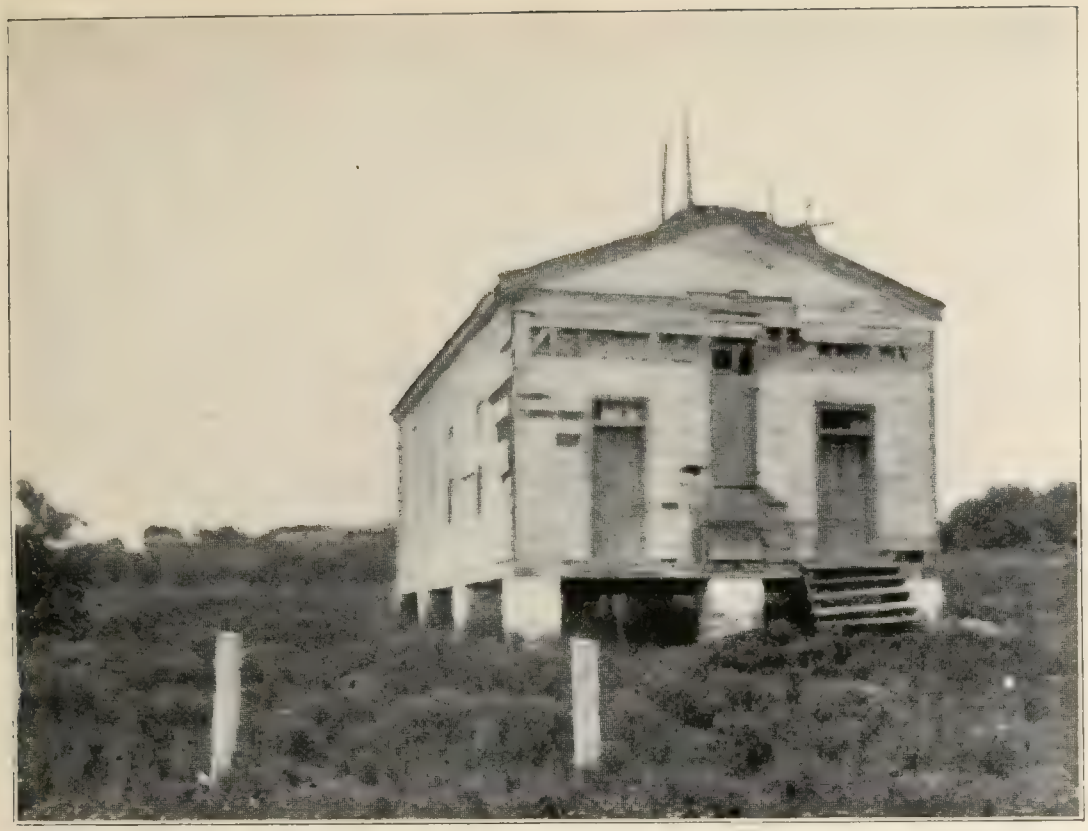
"In the often vaunted regions of the Far West, several hundred miles beyond the Mississippi, extends a vast tract of uninhabited country where there is neither to be seen the log house of the white man, nor the wigwam of the Indian. It consists of grassy plains, interspersed with forests and groves and clumps of trees, and

watered by the Arkansas, the grand Canadian, the Red River, and their tributary streams. Over these fertile and verdant wastes still roam the elk, the buffalo and the wild horse, in all their native freedom. These, in fact, are the hunting grounds of the various tribes of the Far West. Hither repair the Osage, the Creek, the Delaware and other tribes that have linked themselves with civilization, and live within the vicinity of the white settlements. Here resort also the Pawnees, the Comanches and other fierce, and as yet independent tribes, the nomads of the prairies or the inhabitants of the skirts of the Rocky Mountains. The regions I have mentioned form a debatable ground of these warring and vindictive tribes; none of them presume to erect a permanent habitation within its borders. Their hunters and 'Braves' repair thither in numerous bodies during the season of game, throw up their transient hunting camps, consisting of light bowers covered with bark and skins, commit sad havoc among the innumerable herds that graze the prairies, and having loaded themselves with venison and buffalo meat, warily retire from the dangerous neighborhood.

"These expeditions partake, always, of a warlike character; the hunters are armed for action, offensive and defensive, and are bound to incessant vigilance. Should they, in their excursions, meet the hunters of an adverse tribe, savage conflicts take place. Their encampments, too, are always subject to be surprised by wandering war parties, and their hunters, when scattered in pursuit of game, to be captured or massacred by lurking foes. Mouldering skulls and skeletons, bleaching in some dark ravine, or near the traces of a hunting camp, occasionally mark the scene of a foregone act of blood, and let the wanderer know the dangerous nature of the region he is traversing. It is the purport of the following pages to narrate a month's excursion to these noted hunting grounds, through a tract of country which had not as yet been explored by white men."

Fort Gibson was named in honor of Colonel Gibson at that time chief of the Commissary Department of the army. Cheaply constructed buildings were utilized at first for housing the army post, but twenty years later, spacious barracks, officers' headquarters and other buildings were constructed of stone obtained from the near-by hills.

Many persons of National prominence have at various times been stationed here.



THE FIRST CHURCH IN INDIAN TERRITORY, BUILT BY COLONEL BELKNAP AT THE MILITARY POST OF FORT GIBSON ABOUT 1845

OFFICERS' HEADQUARTERS, FORT GIBSON, PRIOR TO THE CIVIL WAR

Zachary Taylor, "rough and ready," afterward President of the United States, was stationed there, as colonel, for a while, about 1835, as was also his son-in-law, Jefferson Davis, a lieutenant in the regular army. It is claimed that Davis eloped with Taylor's daughter, married her, resigned his commission in the army and returned to his home in Mississippi. Gen. Sam Houston was located there for a while and other military men, who afterward acquired fame, were stationed there for a longer or shorter period of time, some of them merely on tours of inspection. Soon after the M. K. & T. railroad had completed the laying of its track as far as Gibson Station, James G. Blaine came down and traveled by stage from Gibson Station to Fort Gibson, to visit his daughter and her husband, Colonel Coppinger, who was then stationed at the Fort. Mr. Blaine suffered quite a spell of sickness while there, and was also detained at the home of Capt. George Shannon at Gibson Station for several days by illness.

News correspondents have been fond of rehearsing the story that Henry M. Stanley, the African explorer, taught school at Fort Gibson, and that Admiral George Dewey was at one time stationed there, but these statements are not correct. The Stanley who taught school there was a Scotchman, and Admiral Dewey's wife, who was formerly the widow of General Hazen, visited there many years prior to her becoming Mrs. Dewey.

For forty-eight years after Fort Gibson was established there were no railroads in Indian Territory and nearly all of the supplies were brought by boat and unloaded at the confluence of the Grand, Verdigris and Arkansas rivers, and for many years, thousands of tons of freight were unloaded from boats at the point now called Hyde Park, four miles northeast of Muskogee, and from there, hauled by caravans of ox teams to points as far as 150 miles westward. This trade increased from year to year as various outposts of civilization were established in Western Oklahoma and New Mexico and reached its highest point soon after the numerous prairie schooners joined the overland procession to California and Arizona in search of gold. About the year 1870, twenty steamboats were plying the rivers between Fort Gibson and New Orleans, and 25,000 tons of freight were annually landed at Hyde Park, in addition to the Government's supplies brought to Fort Gibson. In those days it was thought nothing unusual to load cargoes of freight on boats at New York, Cincinnati or St. Louis,

destined for Fort Gibson. In view of the fact that railroad freight rates are excessively high at the present time, it might not be amiss for shippers to remember that history may repeat itself.

WHEN ARKANSAS RIVER WAS NAVIGABLE

The following advertisement was published regularly in the Cherokee Advocate prior to the Civil War:

EVELINE

THE NEW ORLEANS AND FORT GIBSON PACKET WILL RUN REGULARLY DURING THE ENSUING SEASON BETWEEN NEW ORLEANS AND FORT GIBSON. THIS BOAT CANNOT BE SURPASSED BY ANY IN THE RIVER FOR SPEED OR THE CONVENIENCE OF PASSENGERS OR THE SAFETY OF FREIGHT.

At the approach of the Civil war, the United States War Department displayed very bad judgment by withdrawing troops from Fort Gibson to perform service in Missouri and Kansas. By thus weakening and for awhile practically abandoning the Fort, the emissaries of the Southern Confederacy were left free to exert their utmost efforts to induce the Indians to align themselves with the South. Many Indians, who at the outbreak of the war were opposed to taking up arms against the Government, were left at the mercy of the Southern invaders, and for their own protection were compelled to favor the side of the Confederates. Those, who refused to do so, were subjected to severe punishment, many being compelled to abandon their homes and live stock and flee to Kansas for safety, thus being very poorly rewarded for their loyalty to the Government. For some time during the war the Confederate army had possession of the Fort, and at other times the Confederates scoured the surrounding country at will, the garrison at the Fort being too weak to attack the enemy. After the mischief had been done, after the Indians had been induced to form alliances with the South and the loyal ones driven from their homes, the war department dispatched reinforcements to the garrison and the Confederates were driven back toward the South.

After the Civil war was ended, a small garrison of Federal soldiers was stationed at the Fort until 1891 when it was aban-

ARKANSAS RIVER FERRY BETWEEN FORT GIBSON AND MUSKOGEE

The young ladies are the two Creek Indian members of the class of 1900,
Miss Susanne Barnett and Miss Belle Meagher

doned by the Government and the buildings donated to the Cherokee Nation. About 1901 the property was sold at public auction, the principal buildings converted into private homes, the older buildings torn down, so that now there is but little left to indicate the site of the old historic Fort Gibson.

The Town of Fort Gibson, surrounding the old garrison, is now a quiet little city of 1,500 inhabitants, in the midst of an excellent agricultural section of the country. The Arkansas River Valley, adjoining the town on the west, contains the best land in the state. Two crops of Irish potatoes per year are produced here and shipped by train loads to Northern markets. The country east of the town is rolling, much of which is in cultivation, the rougher portion being well adapted to fruit culture.

Fort Gibson has two railroads, the St. Louis & Iron Mountain road, a branch of the Missouri Pacific System, extending from Kansas City to Fort Smith, Ark., and a branch of the St. Louis & San Francisco line extending from Okmulgee to Fayetteville, Ark. An interurban line also connects Fort Gibson with Muskogee. The Farmers' National Bank and The Citizens' National Bank, both substantial institutions, supply the town with good financial facilities. Fort Gibson maintains a good public school system in which a corps of ten teachers is employed, and church organizations are maintained by the Baptist, Methodist and Presbyterian denominations.

Among its pioneer citizens, Mr. F. H. Nash, who died but a few years ago, was one of the foremost. He was a native of Louisiana, but came to Fort Gibson in 1853. After clerking in a store for several years, he purchased a stock of dry goods and groceries and began business for himself. His store was looted by Confederate soldiers during the Civil war and he was compelled to go North. After the war closed he returned to Fort Gibson, again engaged in the mercantile business, married a Cherokee wife and reared of family of very estimable children. He was widely known and highly respected as a citizen and Christian gentleman.

Mr. J. S. Holden, editor of the Fort Gibson Post and New Era, for many years was a man of very striking personality. He was a constant student, a versatile writer and a very entertaining conversationalist. He was familiar with every incident of any importance connected with the history of the old Fort. He was born in Ireland, came to America with his parents during his early

childhood and devoted the greater part of his life to the newspaper business. He died in Fort Gibson about two years ago at the age of seventy-eight years.

Connell Rogers, a Cherokee by blood, has resided in the vicinity of Fort Gibson, for the past forty years or more. During Territorial days he held numerous positions of honor in the Cherokee Nation, and several years after statehood he was elected as treasurer of Muskogee County. He was fortunate in securing for himself and the members of his family a fine body of Arkansas River Valley land lying between Muskogee and Fort Gibson, and for several years past, has specialized in raising potatoes for Northern markets. Several years ago he purchased one of the stone buildings which had been officers' headquarters during the ante bellum days, and converted it into a model modern residence. It is located on the highest point on the old Fort reservation and from that eminence he can survey his fertile farms in the valley below.

HASKELL

In 1903, as the work of grading the new Midland Valley Railroad had reached a point about half way between Tulsa and Muskogee, it was observed that on the prairie, just ahead of the construction camp, was a beautiful site for a town. All of the land belonged to the Creek Indians and something had to be done in order that legal title to town lots might be guaranteed to purchasers. Mr. T. J. Way, one of the pioneers of that section of the country selected an eighty-acre tract belonging to Amos Rolland, a full-blood Creek, and petitioned the secretary of the interior to authorize Rolland to sell it for townsite purposes. Mr. Way bought the land and when, after the customary delay of several months, the sale was approved by the Interior Department, the tract was conveyed by Mr. Way to the townsite company of which C. N. Haskell, P. B. Hopkins and Walter Eaton were the promoters, and the town of Haskell sprang into existence. Eighty acres was not deemed of sufficient size, however, to build the town, which the promoters had planned, and through the efforts of Mr. J. C. Scully, title was obtained to an adjoining tract which also was platted into town lots. Mr. Scully became the local agent of the Townsite Company, and his profits in selling real estate, together with his later adventure in drilling oil wells, have made him wealthy.

For many years prior to the platting of the townsite of Haskell, a country post office, one and a half miles south, called Sawokla, had been maintained. Sawokla also had a store and a cotton gin, but these were all moved to Haskell within a short time after the railroad was completed and Sawokla disappeared from the map.

Two Syrians under the firm name of S. Beshara & Bro. established the first store in Haskell. With a capital of $140 they erected a tent and installed a small stock of goods. Within a few months a strong prairie wind blew their tent away and in its place they erected a building 10 by 20 feet in size. As the town grew, the Syrians' trade increased, and within six years they had built a substantial brick building of two rooms and had filled both rooms with merchandise.

In 1904, Mr. C. E. Henson, a pioneer merchant, moved a stock of goods from Arkansas to Haskell and opened a general store in a frame building in the south part of the village. By strict attention to business, his trade rapidly increased and within a few years he erected a brick store building and filled it with a good stock of merchandise.

Before Haskell was scarcely a year old, Mr. Nat Lambertson came down from Kansas, looked the village over and decided to locate. He began with a small hardware store and was appointed postmaster by President Roosevelt. He became actively interested in the public affairs of the town, served as a member of the town council, and was elected as Haskell's second mayor. At the close of his term as postmaster he started a grocery store which he still continues to manage.

Mr. A. J. Englert is another pioneer who has helped to make Haskell a thriving little city. He came when the town was still in its infancy and being favorably impressed by the splendid agricultural possibilities of the surroundng country, he built a mill and elevator, thus furnishing a market for the farmers' grain. He built a substantial home, served two terms as city treasurer and now devotes his time to handling real estate and oil leases.

Haskell supports four good banks, which fact speaks well for a town of its size.

The Haskell National Bank, organized as a state bank in 1904, was the first to be established. In 1912 it was converted into a National Bank and its capital increased.

The First National Bank began business in 1905 and but slight change has been made in its official staff since its organization.

The International Bank, a private institution, was also organized in 1905. In 1908 it was chartered under the state guaranty bank law, and is still operated as a state bank.

These banks have been conservatively managed and are well supported by the business men of the city and by the farmers and oil companies of the surrounding community.

During the past year a fourth bank has been established under the title of the Arkansas Valley Bank.

Natural gas and oil have both been discovered in the vicinity of Haskell. As early as 1908 a number of profitable gas wells were drilled and the discovery of oil soon followed. By 1910 the rush of oil prospectors and drillers was in full blast and quite extensive oil fields were developed, south and west of the city.

CHURCHES

The religious welfare of the people of Haskell and vicinity has not been neglected, as is evidenced by its several prosperous churches. The Christian denomination was the first to build a church house, their building having been completed early in 1905 and dedicated on Easter Sunday of that year.

In 1908 the Presbyterians erected a pretty building, using the native rock instead of brick or wood. This building was christened The "Robertson" Memorial Presbyterian Church in memory of the great missionary family of Robertsons. Mrs. Augusta R. Moore, daughter of the noted missionary, who still resides on her farm near Haskell, was the principal contributor toward the cost of this building. This church was dedicated on April 18, 1905, by Rev. A. Grant Evans, who at that time was president of Henry Kendall College, at Muskogee.

In 1907 the Catholic Church was erected upon a lot donated by Mr. J. C. Scully, one of the active business men of the city.

The Baptists, Methodists and other denominations have also built up churches, and for a city of its age and size, Haskell is well supplied with places of worship.

Haskell has also built up a good public school system, consisting of a high school and two ward schools. A complete high school

course is maintained and a corps of twenty-two teachers is employed in the entire system.

This young city has paved streets, cement sidewalks, electric lights, natural gas for fuel, water works, a weekly newspaper and a population of 2,400.

BOYNTON

The Town of Boynton, now a thriving little city of 1400 inhabitants, is located in the western part of Muskogee County on the St. Louis & San Francisco Railroad, half way between Muskogee and Okmulgee. Twenty years ago it was but a part of a broad prairie pasture, but as soon as the proposed railroad was surveyed, in 1902, the townsite promoters quickly selected its site as a suitable location for a promising town. Actual building began in the spring of 1903. Messrs. H. L. Wineland, W. S. Whaley, Junia Williams, W. E. Claire and Dr. J. A. Settle, being among the first settlers. Mr. Wineland taught the first school, Mr. Williams established the first drug store and Mr. Whaley was the first postmaster. Two years later Mr. Wineland assisted in organizing the first bank, called The Bank of Boynton and became its president. Some Muskogee bankers were quick to see that Boynton would soon become a good trading center, and in 1903 Messrs. A. W. Patterson and A. C. Trumbo went out and organized the First National Bank of Boynton. Both of these banks have flourished and have been important factors in building up the town and in developing the surrounding farming interests. One of Boynton's most important industries is the Francis Vitrified Brick Co. This company has succeeded in manufacturing hard brick of an excellent quality and they have found a ready market for all of their product. Several years ago, oil was discovered in the vicinity of Boynton, numerous productive wells have been drilled and an oil refinery was built, having a capacity of 10,000 barrels per day.

Several years ago a union graded school district was formed, including several square miles of the adjacent farm lands, a good high school was established and twenty-four teachers are now regularly employed in the public schools of the city.

In addition to its two banks, oil refinery, hard brick factory and its good schools, Boynton now has a good water system, an abundant supply of natural gas, a grain mill and elevator, two cotton gins, about a dozen stores and five churches. It is also surrounded

by a good prairie farming country, not yet fully developed, but which is well adapted to the production of all ordinary farm products, including livestock.

BRAGGS

The thriving little town of Braggs is located in the southeastern part of Muskogee County, ten miles south of Fort Gibson, near the Arkansas River and on the St. Louis & Iron Mountain railroad. It has a population of 500 and is the trading point of a good many thrifty farmers. It has a good public school, a National bank, a State bank, several general stores, two cotton gins, numerous little shops and a good system of water works.

WEBBERS FALLS

Webbers Falls, a town of 500 people, situated on the right bank of the Arkansas River, twenty-five miles southeast of Muskogee, is one of the oldest settlements in Muskogee County. It is claimed that a century ago, when the Indians began to settle here, there were actual falls, several feet in height in the river at this point, but a century's constant flow of water has gradually worn the rock away, until now there is only a faint ripple to mark the spot where the falls once existed.

The Hayes Mercantile Company, established there about forty years ago, has from its beginning been one of the leading business institutions of the county. R. E. Blackstone, one of the pioneer merchants, was for many years connected with the same company. In 1896 Oscar Hayes, son of J. W. Hayes, organized the Pioneer Trading Company at Webbers Falls, which soon became one of the prosperous institutions of the town.

PORUM

Porum is a town of 600 people, located on the prairie, thirty miles south of Muskogee. The townsite was platted by Walter R. Eaton in 1903, upon the arrival of the Midland Valley Railroad. The firm of Cole & Matthews were the first to erect a substantial store building and fill it with a stock of general merchandise. T. H. Williams and Joseph Francis were also pioneer merchants, as were also H. G. and Frank Finklea. As the town began to grow

some of its citizens organized the Bank of Commerce. A few years later a National Bank was established. These two banks were finally combined into one strong financial institution which was named The American State Bank.

Porum maintains a good public school, two churches and now has four general stores, two cotton gins, two drug stores, two hardware stores and several small stores and shops.

OTHER MUSKOGEE COUNTY TOWNS

Oktaha, on the M. K. & T. railroad, fifteen miles south of Muskogee, is a flourishing little prairie town of 350 inhabitants. It is in the midst of a good farming community, maintains a good public school, churches, a bank, several general stores and is located on the Jefferson International highway.

Wainwright and Council Hill are towns of about 250 inhabitants each, located in the southwestern part of Muskogee County, on the Kansas, Oklahoma and Gulf Railroad. They are located in a good agricultural section and are good trading points for the farmers.

TAFT

The Town of Taft, ten miles northwest of Muskogee, was platted upon a large scale, upon the arrival of the Midland Valley Railroad. It now has a population of 600, all negroes, has a good graded school, three churches, two cotton gins and several stores. Its largest institution is the school for blind, deaf and dumb negro children, established and maintained by the state.

THE OKLAHOMA FREE STATE FAIR

One of Muskogee's most important institutions is the Oklahoma Free State Fair, organized in 1916 and chartered by the state February 26, 1917.

During the years gone by, Muskogee had held various fairs with more or less success, but all of them had been dependent upon admission fees to meet their expenses, and the gate receipts were not always sufficient to insure the payment of premiums offered, the stockholders being called upon to make up the deficits.

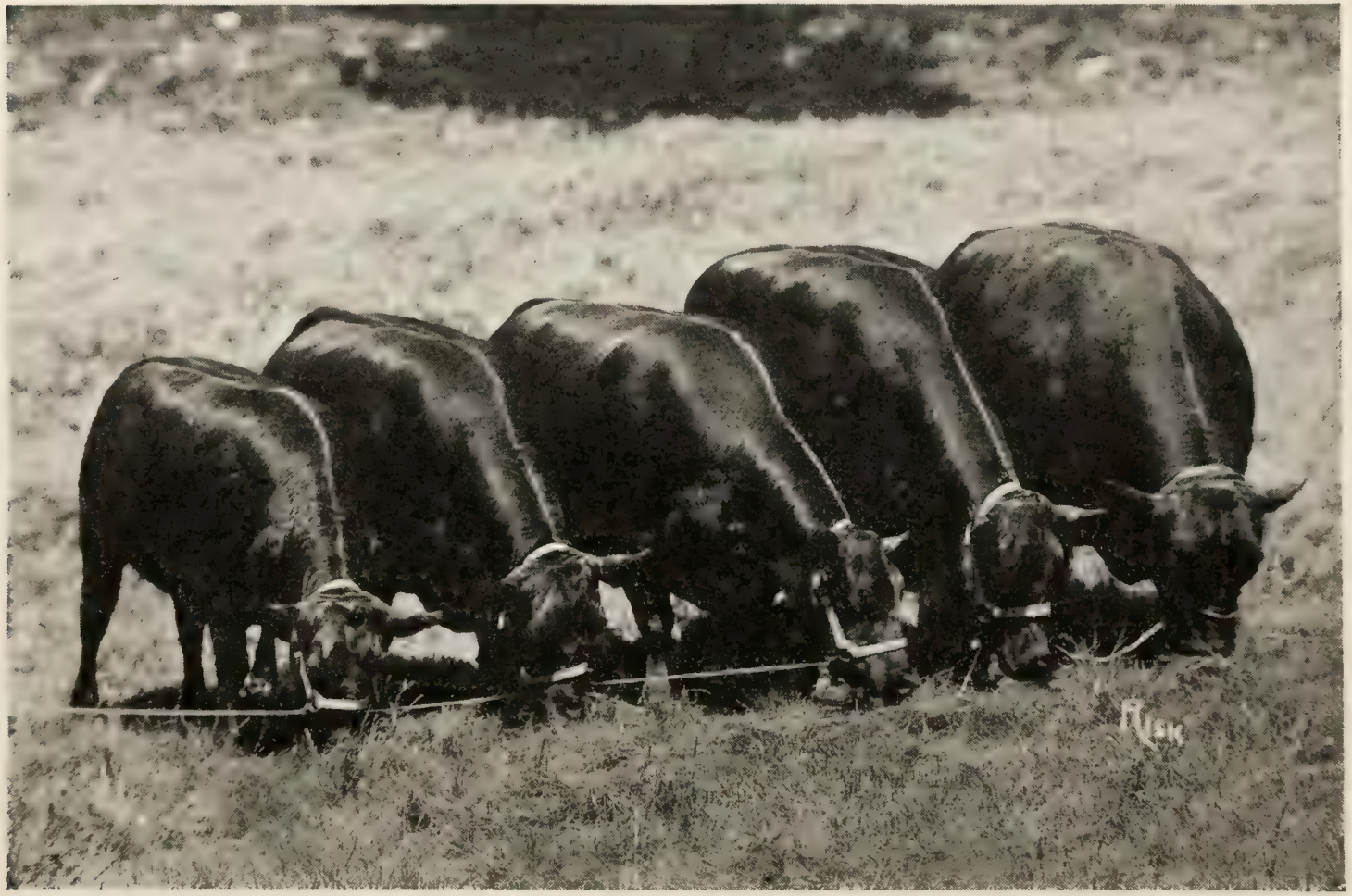
When it was proposed to organize a Free State Fair with "the gates wide open" to all visitors, many of the directors of former fairs balked, declaring that it would be impossible to pay expenses and they saw visions of larger deficits than they had been called upon to meet in former years. But the fertile brain of Mr. Tams Bixby, Sr., had conceived a plan by which a Free State Fair could be made to succeed, and which, supported by his indomitable energy, did finally attain a degree of success which exceeded the fondest hopes of the fair officials.

In 1918 the citizens of Muskogee voted a park bond issue of $100,000, the proceeds being used to purchase and beautify the fair grounds. In 1919 the Legislature appropriated $50,000 for the construction of two large buildings, one to contain the agricultural exhibits of the state, the other to house the exhibits of the various Indian tribes. This agricultural building with its exhibits has already accomplished much good toward educating the farmers of Oklahoma along the lines of diversification of crops and improved methods of agriculture.

The Indian building is crowded each year with the products of the Indians and a lively spirit of competition has been aroused among the members of the various tribes which promises favorably for the future. Aside from the entertainment that is furnished by the fair association, special effort is exerted to make it an educational institution. Special lectures are given upon agriculture, horticulture, bee culture and the domestic arts, which are highly instructive and interesting to the general public, and special instruction is given to the numerous boys' and girls' industrial clubs At its annual exhibition held during the first week in October, 1921, $25,000 were paid in premiums and the value of livestock on exhibition approximated $2,000,000.

The Association has already invested over $400,000, in buildings and the demand for more space for exhibits increases each succeeding year. A very large share of the credit for building up this splendid institution is due to Mr. Bixby who has served as its president continuously since its organization. His death a few months ago leaves a vacancy in the fair directory that will be difficult to fill. The fair association ought to erect a monument near the entrance to the Free State Fair Grounds to the memory of Mr. Bixby.

It is not within the scope of this history to describe in detail all



UNDEFEATED AGED HERD OF CANADA, 1919, AND WINNER OF FIRST PRIZE AT TEN STATE FAIRS

The group includes Plowman, fifty-three times champion, more championships than any bull living or dead; sold for a record price of $40,000.00. Also Twinburn Pride 5th with thirty-seven championships to her credit; and one of her daughters.

of the industries and institutions which now flourish in Muskogee, nor even to mention the names of all the good men and women who are now contributing their share toward making of it a larger and better city. This task belongs to the future historian. History is that branch of human knowledge which records past events, and it has been the aim of this work to record the principal incidents connected with the early settlement, growth and development of this section of Oklahoma. What the future historian may have to record, depends upon the activity, foresight and integrity of the men and women who are now the principal actors in life's drama. When one recalls, however, the extremely adverse circumstances under which the remarkable progress and development of the past decades have been accomplished, there is no cause for doubt or fear concerning the future.

CHAPTER XXVII

McINTOSH COUNTY

ITS EARLY SETTLEMENT, HISTORIC POINTS—PIONEERS—EUFAULA, COUNTY SEAT; ITS ORIGIN AND ITS PIONEERS—GEORGE W. GRAYSON —CHARLES GIBSON—C. E. FOLEY—ALEX POSEY—CHECOTAH—H. D. KNISELY—THE FIRST NATIONAL BANK—WM. E. GENTRY—H. G. TURNER—J. B. MORROW.

McIntosh County, named in honor of one of the most prominent families of the Creek Tribe of Indians, adjoins Muskogee County on the south, and is one of the best agricultural sections of eastern Oklahoma. Its prairie soil is of better quality than that of many other counties, while the valleys of the Deep Fork, North Canadian and South Canadian rivers, with their many small tributaries, furnish some of the richest grades of land, together with an abundant supply of living water.

In Indian Territory days this section of the country was an important part of the Creek Nation. Some of the most influential Creek citizens resided here, some of whom still have their homes in this part of the state, and some of the most important Indian conferences of the years gone by were here held. Indian historians claim that in 1541, when De Soto crossed the Mississippi River near Memphis and continued his journey westward, he passed through the southern part of this county. As evidence of the truthfulness of this claim, they point to the huge rock in the middle of the Canadian River, known as Standing Rock, as being identical with the Standing Rock described in the Spanish record of De Soto's Travels. This story has been further authenticated by the claim that not many years ago a skeleton was unearthed near the Canadian River, clad in full Spanish armor. It was in this neighborhood that Albert Pike, the Confederate general, met some of the leading Creeks in 1861 and induced them to join the Southern Confederacy, only a few weeks after the Cherokees had refused to consider his proposition.

The Missouri, Kansas and Texas Railroad reached this neighborhood during the summer of 1872 and the two prosperous towns of Checotah and Eufaula were establishd, although an Indian settlement had been in existence at Eufaula for many years prior to that period. The old Asbury Mission School, located two miles northeast of Eufaula, was established and maintained for many years prior to the Civil war.

A farmer may find land in this county adapted to any kind of crops he may choose to produce. The fertile valleys of the rivers and their tributaries produce large crops of corn and cotton. Much of the prairie soil is of a silt loam and is capable of producing abundant crops of corn, cotton, wheat, oats, rye, barley, cow-peas, kafir, sorghum, peanuts, Irish and sweet potatoes, and various kinds of vegetables. The virgin prairies furnish good crops of hay and excellent grass for pasture. Before the land was allotted and divided into small farms some of the largest and best cattle ranches of the southwest were found in this vicinity, the H. B. Spaulding ranch and the Captain Gentry ranch and others furnishing thousands of cattle annually, for the Kansas City and St. Louis markets. Many parts of this county are well adapted to fruit raising, and more attention has been given to horticulture here, than in most other counties of eastern Oklahoma.

Some of the largest peach orchards in the state are found in this vicinity.

A commendable degree of interest is being manifested by the business men of this county in the matter of improving conditions on the farm. Farmers are giving more attention to diversification of crops, and to raising thoroughbred cattle and hogs, than in former years. The McIntosh Farm Bureau, organized some years ago by the bankers of Checotah and Eufaula, has accomplished some good results in promoting the interests of the farmers. The farmers' boys are bestirring themselves also, as is shown by the fact that they have been awarded several prizes at the State Fair for producing the best crops on acre plots of ground.

Eufaula, in the southern part and Checotah in the northern part of the county, are the largest and most important towns in the county, each having about 3,000 inhabitants. Among the smaller towns which afford good local trading facilities are Hannah, Hichita, Hoffman, Stidham, Mellette, Texanna, Onapa and Rentiesville.

In 1908, immediately following the division of the new State of Oklahoma into counties, quite a spirited contest arose between Checotah and Eufaula over the question of locating the county seat. At the first election held to determine this question, Checotah claimed a majority of the votes cast. The election was held, however, at a time when the streams were high, and the voters residing in the southern end of the county claimed that it was impossible for them to get across the branches of the Canadian River to Eufaula to vote. On this account and because of certain alleged irregularities in the conduct of the election, a second election was ordered and Eufaula was declared the winner. Some bad feeling was aroused at the time, but it soon disappeared and Eufaula was recognized as the county seat.

The county has three railroads, one of them the main line of the Missouri, Kansas & Texas Railroad, and it is crossed by two international highways, The Jefferson Highway and The King of Trails, which are hard-surfaced through the county.

EUFAULA—COUNTY SEAT; ITS ORIGIN; PIONEERS

Eufaula, the county seat of McIntosh County, is located in the southern part of the county, on the Missouri, Kansas & Texas Railway, not far from the Canadian River.

The name "Eufaula" has been a favorite one among the Creek or Muskogee Tribe of Indians.

As early as the year 1800 they had a town of that name, on Eufaula Creek, near the present site of Talladega, Ala. It was one of their early upper creek towns.

Pickett's History of Alabama mentions an Indian town, belonging to the Creeks, which he calls Eufaulahatche. Little Eufauly is mentioned by one of the historians as early as 1792. Another upper creek town called Eufaula, was located on the Tallapoosa River, near the present town of Dadeville, Tennessee. Another Eufaula, known as a lower creek town, was located on the east bank of the Chattahooche River, within the limits of the present County of Quitman in the State of Georgia. In 1799 some of the Indians of this settlement went down to the mouth of Flint River and established another town of the same name. And still another lower creek town, called Eufaula, was located on the Chattahoochee River, in Henry County, Alabama.

Our Eufaula began to develop into a town soon after the arrival of the railroad in 1872, although for forty years before that time it was a well-known Indian center, a favorite meeting place for the Creeks. Many of the pow-wows or Indian conferences were held in that vicinity during the early days. The old Indian settlement of that name was, however, several miles from the present site of the town, but through the influence of G. W. Grayson, the present Chief of the Creeks, his brother Samuel, George Stidham and others, the Railroad Company was induced to locate one of its stations at the present site of the town and the old Indian village was moved to the station. D. B. Whitlow and Joseph Coody established the first store on the west side of the railroad and the Graysons and G. E. Scales started a store on the east side about the same time. Dr. W. H. Bailey was the first physician and druggist to locate in the new town. Rev. R. C. McGee, a Presbyterian missionary, established one of the first churches in Eufaula and remained in charge of it for many years. The old Asbury Mission School, located two miles northeast of Eufaula was, for many years previous to the Civil war, the leading educational institution of that vicinity. It served the Creek people faithfully, but was finally destroyed by fire.

Some of the most prominent citizens of the Creek Nation have resided in or near Eufaula, among whom were the two Graysons, George W. and his brother, Samuel. Samuel was an intelligent Indian, deeply interested in the educational welfare of his people. He resided in that vicinity for many years, and was extensively engaged in cattle raising and merchandising. His death occurred in Eufaula a few years ago.

GEORGE W. GRAYSON

George W. Grayson, the late Chief of the Creek Nation who died recently at about seventy-eight years of age, was over six feet in height, and notwithstanding his advanced age, was as straight as an arrow.

He was born near Eufaula and had resided in the Creek Nation from his birth. He attended school at the old Asbury Mission in his youth and later attended the University of Arkansas. He acquired a good English education and so thoroughly learned the Creek language, that his services as an interpreter have been in frequent demand.

WAR SAVINGS STAMP BANK, EUFAULA

He had given much of his time to his people having served for several terms in the Creek Council, and having made frequent trips to Washington as the Creek delegate.

CHARLES GIBSON

Charley Gibson was a well-known Creek citizen who spent his whole life in the vicinity of Eufaula. He was born in 1846, on a farm near Eufaula, and although his opportunities for securing an education were very limited, he acquired a good practical education. Upon reaching manhood he engaged in the mercantile business, first as a clerk in Grayson's store, then as the proprietor of a grocery. During the latter part of his life he acquired quite a reputation as a local news correspondent and his inimitable style of composition made him popular with the newspaper fraternity. He was a generous-hearted man and interested in the welfare of his people, as was proven by the fact that he reared and educated several Creek orphans.

C. E. FOLEY

Among the early white settlers, no one has stood higher in the estimation of the citizens of Eufaula, than Mr. C. E. Foley. He showed his faith in the future of the town by organizing a bank, building a hotel, and in promoting various other enterprises. His kind heartedness and his public spiritedness have caused him to be regarded as everybody's friend.

ALEX POSEY

Alex Posey was another Creek, native of Eufaula, who attained considerable local prominence as a writer, both of prose and poetry. He first saw the light of day on August 23, 1873. He grew up on a farm, and after attending the crude day schools of that period, he attended the Bacone College at Muskogee. He was a typical Indian in appearance. His long, black hair, his characteristic Indian complexion, his straight manly bearing and genteel manners, gave him a close resemblance of the ideal type of the noble red man. He was a persistent reader and student, well informed in matters of general, as well as of local interest. He

was fond of writing both prose and poetry and a collection of his poems was printed some years ago, in book form. He adopted the non-de-plume of "Chumubbie Harjo" in his writings and his prose productions were usually in artificial imitation of a full-blood's style of English. He was interested in the education of his people and for several years served as superintendent of the Creek Boarding School at Eufaula. He died several years ago while yet in the prime of life.

The settlers of Eufaula demonstrated their interest in education by erecting a school on the east side of the railroad, and establishing a free school by voluntary taxation, before there was any law authorizing the levy of taxes for school purposes. As soon as the Curtis Act was passed by Congress, Eufaula took advantage of it by levying taxes and starting to build up a first class public school system, and to make other needed public improvements. The city now has paved streets, a splendid "White Way," five brick and stone schoolhouses, seven churches, a large cotton oil mill, light and ice plant, well built and attractive business blocks, three parks, a fine waterworks and sewage system, four banks, two hotels, the three story brick boarding school for Creek girls and an abundance of natural gas for domestic and commercial purposes. There is also a very active civic club whose purpose is to make the town a better place to live in, rather than to increase its numbers, an ambition which is concurred in generally by the 3,000 prosperous and contented people who live here.

When the Jefferson Highway was first located through Eufaula the only way of crossing the South Canadian River, about four miles below the town, was by means of a rather uncertain ferry, and the citizens of Eufaula, feeling the great need of a good bridge across the river, incorporated The Jefferson Highway Bridge Company, and at a cost of almost a quarter of a million dollars, built the present splendid structure of steel and concrete, forty feet above low water, affording a 365 day crossing throughout the year. Already the traffic over this bridge, which was opened for use April 21, 1920, bids fair to justify the large expenditure upon it and it is rapidly becoming one of the notable landmarks of the neighborhood.

The Indian Journal, one of the first newspapers in the state, is still published in Eufaula and is well supported by the business men of the city. The Masonic and Odd Fellow fraternities are

well represented here. One of the first Masonic lodges in Indian Territory was organized here and the city claims as many thirty-second degree Masons as any other town of its size in the state.

CHECOTAH

Checotah, a flourishing city of 3,000 people, is located on the M. K. & T. Railroad, in the northern part of McIntosh County. It is the first town of importance south of Muskogee and was founded in 1872, soon after the new railroad reached that vicinity. It was named in honor of Samuel Checote, who was serving as chief of the Creek Nation at that time. The name was suggested by the railroad authorities who located the station there, because of the prominence which Chief Checote had just gained in suppressing an insurrection of dissatisfied full-bloods under the leadership of a simple-minded old Indian by the name of Sands.

Checotah is situated near the center of one of the best agricultural sections of the state and for many years before it was organized some of the largest and best cattle ranches were found in that locality. The once famous ranch of Turner & Middleton, where thousands of cattle and hundreds of horses were cared for, was located ten miles toward the northwest. The Gentry Ranch and the Spaulding ranch also furnished hundreds of beef cattle to the northern markets each year.

In those days, antedating the arrival of the railroads, the cowpunchers drove the fat cattle across the country to St. Louis or Kansas City, sometimes loading them on cars at some point in Kansas. Cattle-raising, in those pioneer days of immense pastures, was very profitable business, as the mild winters made it possible to keep livestock on the grass, without extra feed, throughout almost the entire year. The first white farmers who settled here came from the cotton producing states and it was but natural that they devote their time and energy to the production of that profitable crop, especially when they found the soil and climate so well adapted to it. But as other farmers came in, they found conditions equally adapted to raising wheat, barley, oats, alfalfa, etc., so that there is much more diversification of crops than in former times.

Several points of historic interest are found in this part of the state. Near here the Creeks and Osages fought a severe battle

in the olden days in which the Osages were defeated with a loss of fifty warriors.

On Elk Creek, southeast of Checotah, one of the decisive Indian Territory battles of the Civil war was fought between regiments commanded by General Blount of the Northern army and Col. Douglas Cooper of the Confederates.

Colonel Cooper retreated with a loss of 200 men, while about one hundred of the Northern soldiers were killed or wounded.

As Checotah began to assume the appearance of a real town it turned its attention to the building of churches and schools. The Methodist Episcopal Church, South, was the first to organize a church. In 1889 Rev. James A. Trickey started the first church of that denomination in a little schoolhouse. After remaining two years, he was succeeded by Rev. W. M. Baldwin, who had the misfortune of seeing the little church house, which he had just completed, carried away by a wind storm. This misfortune did not seem to dishearten the parishioners, however, for they soon got busy and erected a better and more commodious building.

The Christian denomination was the next to organize a church. Rev. J. W. Towry came to Checotah in 1896 and at the close of a series of meetings, gathered a little flock of converts together and established the Christian Church. The little congregation grew and prospered and within three years had erected and paid for a substantial church building.

The Baptist denomination soon afterward determined to organize a church. Rev. D. S. Cromer, a Baptist minister visited Checotah in 1898 and found five members of his denomination in the village. The use of the Christian Church was kindly tendered to him temporarily. Two years later Rev. Charles S. Leonard was called as pastor of this church, and with a membership of twenty-five, encouraged by his energy and earnestness, another very creditable church building was soon erected.

Later on the Presbyterians, Episcopalians and other denominations organized churches, and it may be well said that the religious welfare of the inhabitants of Checotah and vicinity has not been neglected.

Checotah, like every other Indian Territory town which was established prior to 1898, was hindered and delayed in the matter of organizing a good school system, but a school was started as soon as the town began to grow and for several years was main-

tained by subscription or voluntary taxation. Soon after Congress passed the law permitting towns to tax themselves for public purposes, a school district was organized, good teachers secured, modern buildings erected, and today Checotah has a first class school system, with an accredited high school.

As soon as Checotah began to contemplate the building of a real town, a wide awake commercial club was organized for the purpose of promoting the town's interests, with J. B. Morrow as president, K. W. Whitmore as secretary and R. B. Hutchinson as treasurer.

Among the pioneers of Checotah, the name of Mr. R. Y. Audd is worthy of mention. He came to this neighborhood from Kentucky about forty years ago, and taught school for a while at the old Asbury Mission School. He married a niece of the noted Cherokee chief, John Ross, and became so fascinated with the agricultural possibilities of this section of the country that he began to develop a farm near Checotah. He moved into Checotah soon after the town started, but continued his farming operations. He became interested in fruit culture and was soon the proprietor of the largest peach orchard in this part of the country. He built several houses in Checotah and in other ways demonstrated his interest in the growth of the town.

Mr. H. D. Knisely was the first druggist to locate in Checotah. From a small beginning his business gradually increased, until he became recognized as one of the leading druggists of the Indian Territory.

The First National Bank of Checotah was its first substantial financial institution. It was organized in 1898, Mr. J. S. Todd being its first president and R. D. Martin, cashier. This bank has paid its stockholders good dividends from the date of its organization, and its officers have been closely identified with the growth of the city.

William E. Gentry has, perhaps, done as much for Checotah as any other man. He is a Creek by birth and had possession of a fine body of land in this vicinity prior to the individual allotment of lands. His cattle ranch, for many years, was one of the prominent institutions of the neighborhood. He interested himself in various ways in the development of the town and from its beginning, has been recognized as one of Checotah's most useful citizens.

H. G. Turner was chosen as Checotah's first mayor after the

town was incorporated, and he and his councilmen gave the town their services without pay.

Mr. J. B. Morrow, Spaulding Mercantile Co., and Lafayette Brothers were among the early settlers who helped to make Checotah a real live city.

The Grand Lodge of Odd Fellows selected Checotah some years ago as the location of its State Orphan Home, and just outside the northern limits of the city, a large brick building was erected. The grounds around the building have been beautified, making it a very comfortable and attractive home for their orphan boys and girls.

CHAPTER XXVIII

WAGONER COUNTY

RAILROADS—WAGONER, THE COUNTY SEAT—CHURCHES—SCHOOLS—CAPT. GEORGE SHANNON—FREE FAIR—PORTER—COWETA.

Wagoner County adjoins Muskogee County on the north, the Arkansas River being the boundary line between them. Perhaps no county in the state affords better agricultural advantages than Wagoner. The very fertile valley of the Arkansas River extends across the entire southern portion of the county, the Verdigris River crosses the central portion from the northwest to the southeast and the Grand River flows southward along the east side. The valleys of these rivers afford many acres of exceedingly fertile soil, adapted to almost every kind of crops. The uplands are mostly prairie, containing the rich black prairie soil. This county is near the border line between the north and the south, from the standpoint of crop raising, and the cotton farmer of the south and the grain producer of the north, each finds soil and climate to his liking. The fertile river valleys of the southern portion of the county are admirably adapted to producing cotton, corn and potatoes, while the prairie land produces good crops of corn, wheat and oats. An excellent quality of hay is also grown on the virgin prairie land, the surplus of which finds a ready market in Kansas City and St. Louis.

Wagoner County is also noted for its shallow oil wells, many of which are less than one thousand feet in depth. Reliable geologists report that there are yet probably thirty million barrels of undeveloped oil in the Wagoner-Muskogee field. Wagoner County was formerly a part of the Creek Nation and many prominent Creeks selected their allotments and established good homes here, especially in the western part of the county. Quite a number of Creek Freedmen selected their allotments in the rich Arkansas River Valley but the greater part of this land is now owned by

white farmers. During the Civil war of 1861-65, many Indians who had built homes in this fertile valley were compelled to flee from their homes, some going to Kansas and others to Arkansas and Texas, their destination depending upon whether their sympathies were with the North or South. Their negro slaves were left behind and some of them took possession of their refugee masters' homes, continued the improvements, and afterward, when the slaves were made citizens, they selected these farms which were in their possession, as their allotments.

In 1883 a side track was built on the Katy Railroad about a mile south of the present site of the town and named "Wagoner Switch," in honor of the chief dispatcher of the railroad. The laying of track was continued six miles farther south and Gibson Station was established during the summer of 1871, and until the spring of 1872, during which time the Arkansas River bridge was in process of construction this station was the terminus of the Railroad.

Captain George Shannon, now a resident of Wagoner, conducted the principal store at Gibson Station for forty years following 1880 and is thoroughly familiar with the early settlement and development of that section of the state. He was employed by the railroad as a bridge builder while the track was being laid from Parsons, Kan. to Muskogee, and he enjoys rehearsing the story of the race which the railroads ran in reaching Indian Territory. It appears that the Federal Government had proposed to donate every alternate section of land for ten miles on each side of the track to the first railroad entering Indian Territory, provided that this grant of land should be of no effect unless and until the Indians voluntarily abandoned it. About the time the Katy road arrived at Chetopa, Kan., the Fort Scott & Gulf Road reached Baxter Springs, Mo., both points being within three or four miles from the Indian Territory line. Upon reaching Chetopa, the men in charge of building the Katy road employed an extra force of men, rushed the work and were the first to reach the Territory line. Quite a large crowd of people gathered to witness the entrance of the first railroad into Indian Territory and it is said that Mr. R. S. Stevens, then general manager of the road drove the last spike in Kansas, and Col. E. C. Boudinot, the noted Cherokee lawyer, drove the first spike in Indian Territory.

Upon the arrival of the railroad at Gibson Station Captain

GIBSON STATION, OKLAHOMA, ON THE M. K. & T. RAILROAD—BEGINNING SEPTEMBER, 1871, IT WAS THE END OF THE ROAD FOR FIVE MONTHS

The first permanent depot to be established in Oklahoma was built in 1872. Captain George Shannon, standing in front, is one of the first settlers to see this road when put through and Russell McGee, the present agent is in background.

Shannon built a turn table for reversing the engines, and erected a portable depot, which was shipped to Muskogee upon the completion of the Arkansas River bridge. The permanent depot which was shortly afterward erected at Gibson Station was Indian Territory's first railway depot and it is still in use and in good condition. Gibson Station was a much more important point in those pioneer days than at the present time. For many months it was the nearest railroad point to Fort Gibson, twelve miles toward the southeast and a regular stage line for passengers and freight was maintained between the two places. The soldiers stationed at Fort Gibson and their friends came to this station to catch the northbound train or to meet their friends coming from the North.

Many noted persons stopped over night with Captain Shannon at Gibson Station, while en route to the Fort, among whom were James G. Blaine and Colonel Coppenger, his son-in-law, Carl Schurz, secretary of the Interior, General U. S. Grant and General W. T. Sherman. It was not unusual in those days for several hundred Indians and negroes to assemble at the station daily, to watch for the arrival of the daily train, for a locomotive was a strange and wonderful sight to many of them.

Quite a little war occurred in this vicinity in 1878, between the Cherokees and Creeks, caused by a dispute concerning the ownership of certain cattle, followed by one or two murders. Before much blood was shed, however, William Penn Adair, influential Cherokee, and James Childers, prominent Creek assisted by a few others, succeeded in effecting peace between the two belligerent bands.

WAGONER

Wagoner, the county seat of the county bearing the same name, is located fifteen miles north of Muskogee, at the junction of the Missouri, Kansas & Texas (Katy line), with the branch of the Missouri Pacific, known as the Iron Mountain Railroad, but originally called the Kansas & Arkansas Valley Road. This latter road crossed the Katy line in 1887, and the town of Wagoner was placed on the map at this railroad crossing. Captain Shannon furnished the lumber and W. H. McAnally built the first house which was occupied by McAnally as an eating house and patronized principally by the railroad men. It was located about a block south of

the lot upon which the Axtell Hotel was afterward built. The second house was built just east of the present site of the old Phoenix Hotel by a man by the name of Albright. He died soon thereafter, and his widow sold the house to Captain Shannon.

The third building was erected by Miller & Co. on the present site of the First National Bank, who went up there from Muskogee in 1888 and established the first general store in Wagoner. About this time the settlers began to think that a post office would be a nice thing for Wagoner to have, and after considerable hustling, Mr. McAnally secured the requisite number of signatures to a petition, which was forwarded to Capt. G. W. Grayson, delegate for the Creek Nation at Washington, and in due course of time a post office was granted, William Teague receiving the honor of being Wagoner's first postmaster.

In August, 1888, Captain Shannon built the first hotel, called the Bernard, and a store building adjoining the hotel. During the following year, this store was sold to the Davis & Jones Mercantile Co. who filled it with a good stock of general merchandise. This company soon sold out to Terry Parkinson, who still resides in Wagoner, and his partner, Mr. McQuarie.

Terry Parkinson landed in Wagoner in 1890, and, although then only about twenty-five years of age, he, assisted by his father, quickly built up a good business which was continued for many years. Before going to Wagoner he had gained some experience in selling goods to Indians by being associated with his father in Red Fork and Okmulgee. The Parkinsons had also been extensively interested in the cattle business in the northern part of Indian Territory in the days when the broad prairies afforded unlimited range for cattle.

About 1889, the "Wagoner Switch," located on the Katy railroad about a mile south, was moved up to the new townsite. This switch had been built by the railroad fifteen years before the town of Wagoner began its existence, and it was used principally for loading walnut logs which were gathered from the valley of the Verdigris River and shipped to northern furniture factories. In 1889 Mrs. Percival built and furnished the first hotel, called the Valley Hotel. It is claimed that hers was the first wedding in Wagoner, when she was married to Mr. W. H. Harris.

Joseph Casaver, who is still an active business man in Wagoner, is one of its pioneer citizens. He arrived there soon after the

HIGH AND SOUTH WARD SCHOOLS, WAGONER

LIBRARY AND PRESBYTERIAN CHURCH, WAGONER

junction of the two railroads was completed and served both companies as telegraph manager. A few years later he established a drug store which he continued to manage for several years, at the same time being interested in the ice business. He was elected mayor of the city a few years after it was incorporated. He was also interested in the livery business in those days antedating the arrival of the automobile, when the pony teams were very much in demand.

The Cumberland Presbyterians were the first religious organization to locate in Wagoner, although the other leading denominations soon followed, the Methodists, Baptists, Presbyterians, Episcopalians, Christians and Catholics being now well represented.

Wagoner was one of the first towns in Indian Territory to establish public schools. In 1898, before any funds could be raised by taxation, the citizens contributed liberally toward the construction of a private school building which was called Central College. This school afforded educational facilities for the pupils of that vicinity until the law provided for the formation of school districts and taxation for the maintenance of schools. Soon after the school district was organized, the Board of Education bought the Central College building and it has since been converted into a public high school. The public school system has kept pace with the growth of the city, and at this time, twenty-eight teachers are regularly employed in the city school system, which includes all the grades from the primary, up to and including, a good high school course.

WAGONER COUNTY FREE FAIR

The enterprising spirit of the business men of Wagoner is shown by the fact that for the past six years they have successfully maintained a free county fair which has steadily grown better during each successive year. It is held during one week of September, each year, and aside from the customary horse racing and side shows, it is fast becoming an educational institution, especially for the farmers. Special effort is also made to encourage the boys' and girls' clubs throughout the county under the direction of an efficient county agent and home demonstration agent, valuable prizes being offered for the best pigs, poultry, corn, vegetables, cooking and sewing exhibited by the young people.

From year to year it is also noticeable that the farmers are taking more interest in producing high grade hogs, cattle and horses, and a better quality of corn, cotton, wheat and potatoes.

Wagoner now has, in addition to the M., K. & T. and the Iron Mountain railroads, the Kansas, Oklahoma & Gulf line, built several years ago to connect Wagoner and Muskogee on the south with Miami and its rich lead and zinc mines on the north. These three railroads give Wagoner excellent railroad advantages, connecting the city with the leading towns in almost every direction. It is one of the stations of the famous Jefferson Highway which extends from Canada to Texas and one of the East and West highways will probably pass this way. A lively interest is being aroused upon the subject of permanent road building and most of the townships have already voted bonds for this purpose.

The city has built and owns a good system of electric lights and a system of water works of which the citizens are proud. The streets are unusually wide and the principal ones are paved. The homes, business houses and shops are all heated with natural gas which is found in abundance in the nearby fields. The gradual development of the oil industry of the county is encouraged and assisted by the business men and in return, the oil business adds materially to the business of the city. Oil is obtained at a much shallower depth in this vicinity than in most other fields, and while the output of the wells is not as great as in some other localities, the comparatively small cost of drilling a well renders the business both attractive and profitable.

Some years ago it was discovered that certain portions of the water found in Wagoner possessed valuable medicinal qualities, a sanitarium was built and many cures, especially of rheumatic and skin diseases, have been effected. The city has two banks, a national and a state bank, which have taken care of the financial needs of the city and community for many years past.

The First National Bank has on deposit, at this time, about six hundred thousand dollars, while the First State Bank's deposits are about three hundred and fifty thousand dollars. The city also has three flour mills and elevators, a large brick manufacturing plant, three cotton gins, one cotton oil mill, two good newspapers, a number of good general stores, shops and small factories, and the usual number of secret societies, social and literary clubs.

PORTER

Porter is a town of 600 inhabitants, located in the western part of Wagoner County on the branch of the M., K. & T. Railroad, which extends up the Arkansas River Valley from Muskogee to Tulsa and Osage Junction. The town is located about half way between the Arkansas and Verdigris rivers and is the trading point for the farmers of the fertile valleys of these two streams. A good quality of coal is found near the surface of the ground in this vicinity and underneath the coal in some places is found a good grade of fire clay.

The citizens of Porter take special pride in their public school. They have a consolidated school district including about twenty-five square miles of land, which enables them to maintain an accredited high school as well as all of the common school grades, without an excessive rate of taxation. The enrollment in their public school is equal to one-half the population of the town and nine teachers are regularly employed. In the various county school contests which have been held for several years past, the Porter School has been awarded its full share of the prizes. The town maintains three churches, two banks, three cotton gins, two grain elevators, two hardware stores, two drug stores, ten general stores and groceries and several shops of various kinds.

Porter also boasts of being a town of home-owners, there being but very few rented houses in the village. One of the institutions of which this vicinity is specially proud is what is known as Nunn's Pedigreed Seed Farms, where two thousand acres or more of land are devoted to the production of high grade cotton seed, corn, oats and barley, under the supervision of expert plant breeders. Scientific methods of farming, including systematic crop rotation and building up soils, are employed in a manner that afford practical object lessons in agriculture to the farmers of this community.

COWETA

The town of Coweta is located in the western part of Wagoner County, about half way between Muskogee and Tulsa, on the branch line of the M., K. & T. Railroad extending from Muskogee to Osage Junction. Coweta is an old and familiar name among the Creeks, there having been a town by that name back in Georgia

in the olden times. In their ancient home the Creeks were divided into two classes known as Upper and Lower Creeks, the Upper Creeks residing in Alabama and the Lower Creeks having their hunting grounds in Georgia. The Cherokees called the Upper Creeks "Ani-Kusa" from their ancient town of "Kusa," and the Lower Creeks were known as "Ani-Kawita" from their old town of "Kawita" or "Coweta."

When the Creeks came to this country they divided their reservation into towns, meaning districts or counties, one of their most important districts ever after being known as "Coweta Town." Thus the name of the present town of Coweta is fraught with much historic significance to the old-time Creeks. For many years prior to the building of the railroad and the beginning of the present town of Coweta, Mr. A. D. Orcutt, one of the pioneers of this country, maintained a store and post office about a mile west of the present site of the town and was one of the influential men of that vicinity. He was born in Kentucky in 1841 and had resided in Illinois, Arkansas and Kansas. He enlisted as a private in the Union army in 1861 and was promoted to the position of captain. In 1874 he drifted down into the Indian Territory and established his Coweta store and dealt in livestock. A few lears later he became interested in the hardware business in Tulsa and about the beginning of the present century, at the approach of the railroad, he assisted in founding the present town of Coweta. Another fact which made this neighborhood a prominent place in the minds of the Creeks, was that this was the location of one of the most important Creek boarding schools known as the Coweta Mission School. It consisted of three two-story buildings and 160 acres of land located on a beautiful ridge just east of the present town. This boarding school was established by the Creek Council in 1843 and until a few years ago it was considered one of the best schools of the Creeks. Many of the leading members of that tribe were educated here and it was with regret that they saw the buildings and grounds sold a few years ago when the school was abolished.

Coweta is now a flourishing town of 1,500 inhabitants located in a good farming community, and only about two miles from the fertile valley of the Arkansas River. The uplands produce such staple crops as corn, wheat, oats and hay, while the bottom lands are very productive of cotton, potatoes, corn and alfalfa. Livestock raising is also one of the profitable industries of that section.

some of the old Indian Territory ranches being still in operation. The Bright ranch, formerly known as the Edwards ranch, is one of the best known ranches of Eastern Oklahoma; and the Walter Naylor ranch is another important one. Oil has been found within two miles of Coweta, of the shallow well structure. Quite a number of wells have been drilled, and although the daily flow of oil is not so great as in some other fields, yet the comparatively slight cost of drilling and the inconsiderable risk and loss in case a dry hole is found, make this an attractive field for oil operators.

Some time after statehood was granted to Oklahoma, Coweta aspired to be the county seat of Wagoner County, but the town of Wagoner, being somewhat more centrally located and being more easily reached by the majority of the residents of the county by reason of its having two railroads, was selected as the county seat town.

Coweta supports several churches and Sunday schools, and a good public school in which thirteen teachers are regularly employed. Its two-story brick school building contains a very commodious auditorium which serves as a community center for the residents of the town. In addition to furnishing a convenient place of meeting for the various societies of the town, this public use of the auditorium tends toward bringing about a closer union and a more intimate acquaintance between the school and its patrons.

Coweta has the usual quota of stores, shops, physicians, lawyers and banks found in any town of its size.

CHAPTER XXIX

CHEROKEE COUNTY

AREA—DIVERSITY OF LANDS—TAHLEQUAH—ACT OF UNION BETWEEN EASTERN AND WESTERN CHEROKEES—MALE AND FEMALE SEMINARIES.

Cherokee County adjoins Muskogee and Wagoner counties on the east and Adair County on the west. It contains about seven hundred square miles of land of diversified quality. It contains some rocky, hilly land, some upland of medium quality, some open prairie and some fertile river and creek bottom land. With the exception of the limited amount of prairie, this county was formerly heavily timbered, much of the timber, especially along the numerous streams, being still undisturbed. A farmer in search of a home would indeed be hard to please, who could not find a farm here to suit his taste. If he should happen to be a back-woodsman and desires to remain such, he can find a virgin forest home where he can build his own log cabin, with free stone for his chimney and free back-logs for his fireplace. If he were inclined to be lonesome at night, the owls and coyotes may keep him company.

If he be a Northern farmer, he can find suitable soil for his favorite crops of corn, wheat and oats. If he hails from Texas or Arkansas, he will find land here that will produce cotton, tobacco and goobers. If interested in livestock, he will have no difficulty in finding cheap land suitable for raising cattle and hogs. If he should happen to be a fruit grower from Vermont or Italy, ideal locations for orchards and vineyards can easily be found.

No section of Oklahoma furnishes more sparkling streams of pure water, more bubbling springs or more picturesque scenery than is found in Cherokee County. These fascinating gifts of nature doubtless attracted the eyes of the nature-loving Indians, who wended their way westward from Georgia in search of a new

location a hundred years ago, for here they built their first council fires and selected the site of Tahlequah as the future capital of the Cherokee Nation.

Their first tribal councils after arriving at their new Indian Territory were, by common consent, held in the vicinity of the present site of Tahlequah, on account of the beautiful natural surroundings and the numerous sparkling springs which bubbled up from the level ground on all sides, but in the Autumn of 1841 the Cherokee National Council enacted a law making Tahlequah the capital of the Cherokee Nation, and it continued to be their capital, their principal town and their principal public meeting place from that date until the final dissolution of the tribal government. Their first council house and the first homes of the village were built of hewn logs but in the course of a few years many of them built substantial houses of stone, brick and lumber. They reserved the most central block of ground in the village for their council meetings and in the course of a few years they erected a commodious two-story brick building, with assembly halls for their two legislative bodies designated as the "National Committee" and the "Council," the two branches combined being known as "The Cherokee National Council." On the sixth day of September, 1839, their National Council, in session at Tahlequah, adopted a constitution, patterned somewhat after the Constitution of the United States, and which was, without doubt, the most complete and comprehensive document of its kind that had ever been adopted by any Indian tribe or nation. Their constitution divided the powers of their government into three departments—legislative, executive and judicial—and defined the duties and authority of each department. This constitution continued to be the supreme law of the tribe, without change or amendment, until 1866, when the treaty entered into with the Federal Government, soon after the close of the Civil war, necessitated several amendments.

The Cherokees were far in advance of the United States in adopting prohibition, as the records of the proceedings of their council meetings at Tahlequah disclose the fact that in October, 1841, they enacted a law which provided that from and after the first day of January, 1842, the introduction and vending of ardent spirits within the Cherokee Nation would be unlawful and their prohibition law was never repealed by any of their successive councils.

TAHLEQUAH

Tahlequah, the county seat of Cherokee County and the former capital of the Cherokee Nation, is the only town of any size or importance in the county. The geographies of forty years ago gave Tahlequah as the capital of Indian Territory, although it has never been other than the capital of the Cherokee Nation. Each of the Five Tribes has had its own capital ever since they came to this territory, but Tahlequah early became quite a village and an important educational center, while the capitals of the other four tribes were, prior to the coming of railroads, merely meeting places for the tribal councils.

The history of Tahlequah and Cherokee County is but a repetition of the history of the Cherokee Nation, for here their council fires were held, their tribal laws enacted, their political conventions assembled, their treaties discussed and agreed upon, their tribal moneys distributed, and as Tahlequah was the only town worthy of being so-called, most of their money was spent here. Although the abolition of tribal government and the individual allotment of lands and tribal moneys have robbed Tahlequah of much of its former importance and distinction, its historic events and associations, together with its natural picturesqueness, will, for generations to come, continue to make it very near and dear to the hearts of all Cherokees.

The famous treaty made with the Federal Government at New Echota, Ga., in 1835, sounded the death knell of the tribe in the east, and the long, dreary march to their Indian Territory home began soon thereafter. Indeed, some of them became wearied with the persistent encroachments of the avaricious Georgians and left their Eastern reservation several years before this treaty was made, and crossed the Mississippi River in search of homes where they would be beyond the reach of the white man, and where they could live in accordance with their time-honored customs, free from molestation. These first emigrants stopped in Arkansas and built their homes there, in the vicinity of White River. The border line between Arkansas and Indian Territory was not at that time very clearly known and some of these first emigrants drifted across the line. These first settlers afterwards became known in Cherokee history as the "Old Settlers," while the great army of emigrants who came in 1838 and 1839 and settled on their new

reservation, of which Tahlequah was the center, were denominated as "Eastern Cherokees."

Soon after their arrival here a bitter controversy arose between those who first left their Eastern homes and those who emigrated a few years later as to their respective property rights in and to their new reservation, and delegates representing the two factions met at Illinois Camp Ground, near Tahlequah, and on the 12th day of July, 1838, consummated the following:

"ACT OF UNION BETWEEN THE EASTERN AND WESTERN CHEROKEES:

"Whereas, Our fathers have existed as a separate and distinct nation, in the possession and exercise of the essential and appropriate attributes of sovereignty, from a period extending into antiquity, beyond the records and memory of man; and,

"Whereas, These attributes, with the rights and franchises which they involve, remain still in full force and virtue; as do also the national and social relations of the Cherokee people to each other, and to the body politic, excepting in those particulars which have grown out of the provisions of the treaties of 1817 and 1819, between the United States and Cherokee Nation, under which a portion of our people removed to this country and became a separate community, but the force of circumstances have recently compelled the body of the Eastern Cherokees to remove to this country, thus bringing together again the two branches of the ancient Cherokee family, it has become essential to the general welfare that a Union should be formed and a system of government matured, adapted to their present condition, and providing equally for the protection of each individual in the enjoyment of all his rights;

"Therefore, we, the people composing the Eastern and Western Cherokee nations, in national convention assembled, by virtue of our original unalienable rights, do hereby solemnly and mutually agree to form ourselves into one body politic under the style and title of the Cherokee Nation.

"In view of the Union now formed, and for the purpose of making satisfactory adjustments of all unsettled business which may have arisen before the consummation of this Union, we agree that such business shall be settled according to the provisions of the respective laws under which it originated, and the courts of the Cherokee Nation shall be governed in their decisions accordingly.

Also, that the delegation authorized by the Eastern Cherokees to make arrangements with Major General Scott for their removal to this country shall continue in charge of that business with their present powers until it shall be finally closed. And, also, that all rights and titles to public Cherokee lands on the east or west of the river Mississippi, with all other public interests which may have vested in either branch of the Cherokee family, whether inherited from our fathers or derived from any other source, shall henceforward vest entire and unimpaired in the Cherokee Nation, as constituted by this Union.

"Given under our hands at Illinois Camp Ground, this 12th day of July, 1838.

"By order of the National Convention.

"George Lowery,
"President of the Eastern Cherokees.
"George Guess, his X mark,
"President of the Western Cherokees.

"EASTERN CHEROKEES:

"R. Taylor, V. P.
"James Brown, V. P.
"Teke-Chul-las-kee, V. P.
"George Hicks.
"John Benge.
"Thomas Foreman.
"Archibald Campbell.
"Jesse Bushyhead.
"Lewis Ross.
"Edward Gunter.
"Te-nah-la-we-stah.
"Stephen Foreman.
"Daniel McCoy.

"By order of the National Convention.

"John Ross,
"Principal Chief,
"Eastern Cherokees.
"Going Snake,
"Speaker of Council.

"WESTERN CHEROKEES:

"Tobacco Will, V. P.
"David Melton, V. P.
"John Drew, V. P.
"George Brewer.
"Thomas Candy.
"Moses Parris.
"James Campbell.
"Looney Riley.
"Charles Gourd.
"Lewis Melton.
"Young Wolfe.
"Charles Coody.
"Ah-sto-la-ta.
"Jack Spears.
"Looney Price.

"By order of the National Convention, August 23, 1839.

"John Looney, his X mark,
"Acting Principal Chief,
Western Cherokees.

"The foregoing instrument was read, considered and approved by us this 23d day of August, 1839:

"Aaron Price,
"Major Pullum,
"Young Elders,
"Deer Track,
"Young Puppy,
"Turtle Fields,
"July,
"The Eagle,
"The Crying Buffalo,

"And a great number of respectable settlers and late emigrants too numerous to be copied."

From the date of the arrival of the first body of emigrants, Tahlequah was a busy place on account of the numerous tribal meetings and conventions.

Although not much of a town for some time, it began to make history rapidly. Around the council house, which was located in the center of the block of ground reserved for public gatherings, were erected several improvised hotels for the accommodation of the numerous delegates in attendance upon the frequent conventions and council meetings. Thomas Wolf, Susan Taylor and Johnson built the first hotels or rooming houses, and the first stores were established by Messrs. Meigs and Murrell. After the Act of Union was effected, John Ross, their old Georgian chief, who had so strongly opposed their giving up their eastern home, followed them to the Indian Territory and built a fine residence at Park Hill, three miles south of Tahlequah, was chosen as their first chief, which position he continuously held from that date until his death in Washington city on August 1, 1866. As early as 1841 the Cherokee Council began to make provision for establishing schools which finally resulted in making Tahlequah the greatest educational center ever conceived by any tribe of Indians. David Carter and Stephen Foreman were the first superintendents of schools and their first appropriation provided for the establishment of eleven Cherokee schools. The arrival of the Five Civilized Tribes in Indian Territory very naturally created jealousy and friction between them and the half-civilized tribes whose members had roamed this country unmolested from time immemorial and who resented the movements of the new-comers toward destroying any part of their hunting grounds by building homes and developing farms. The Cherokees took the lead in endeavoring to settle these growing dissensions by calling a convention of all the tribes inhabiting this country at that time. This convention was

held in Tahlequah in the Summer of 1843, and was attended by representatives of about twenty different tribes. An immense council fire was built in the center of their capital square in Tahlequah and around it was gathered one of the most picturesque and far-reaching assemblies of Indians ever convened in the history of America. George Lowery, an old Cherokee who at that time was assistant chief of the Cherokees, was chosen as the presiding officer of the great conclave. The proceedings of the "powwow" were characterized by solemn ceremony and resulted in bringing about a feeling of friendliness among the various tribes and as an evidence of their determination to live in peace with one another forever afterward, a great belt of wampum beads was stretched upon the ground at the conclusion of their convention and in solemn procession, the delegates from the twenty tribes marched around it. Although disputes occasionally arose thereafter between the tribes, the results of this council gathering continued to exert a salutary influence upon the tribes interested, and it deserves to be recorded as one of the greatest Indian conferences ever held in the United States.

Soon after the establishment of their capital at Tahlequah, the Cherokees felt the need of some means of communication between the officials and the members of the tribe, and in 1844 the Cherokee Advocate was established as their official newspaper. It was the successor of the Cherokee Phoenix, which had been their official paper back in Georgia ever since 1822. The invention of the Cherokee alphabet by Sequoyah, in 1821, enabled them to publish their news in their own language which enabled the full-bloods who could not speak nor read the English language to keep posted upon the events and progress of their tribal affairs. Many of the mixed bloods, however, never mastered the Sequoyah alphabet and could not read their own language, hence, the Advocate was published one-half in the Cherokee and the other half in the English language. William P. Ross, an educated Cherokee, a graduate of Princeton College, and who afterward became chief of the nation, was the first editor of the Advocate. This paper was published weekly and continued to be the official paper of the Cherokees for about sixty years.

In November, 1843, another convention was held in Tahlequah in which a compact was entered into between the Cherokees, Creeks and Osages, by the terms of which it was agreed that

neither tribe would thereafter convey to the United States any part of their present possessions without the consent of the other two tribes. It was further agreed that either tribe might punish any member of either of the other two tribes for murder or other crime; that any citizen of one nation might become a citizen of either of the other two nations by consent of such nation; and that no citizen of either nation should introduce any ardent spirits into either of the other nations.

MALE AND FEMALE SEMINARIES

In 1846 the Cherokee Council, in session at Tahlequah, took steps toward establishing a male seminary and a female seminary, but these seminaries were not ready for occupancy until 1850.

Soon after Tahlequah was made the capital of the Cherokee Nation, the National Council passed an act providing that the chief should make his official headquarters at that place. From the beginning of the Cherokee government, in 1839, to the recent dissolution of their tribal government, the following named men served successively as chief: John Ross (who served continuously from 1839 to 1866, except when deposed for a short time during the Civil war trouble), Louis Downing, William P. Ross, Charles Thompson, Dennis W. Bushyhead, Joel B. Mayes, C. J. Harris, Thomas M. Buffington, Samuel H. Mayes and William C. Rogers. All of these men are dead except ex-Chief Buffington, who still resides at his home in Vinita, and ex-Chief Mayes, whose home is at Pryor. Ex-Chief Harris died in Muskogee only a few months ago.

By the terms of the various treaties which the Cherokees had made with the United States, a generous school fund had been accumulated, and in 1846 they laid plans for building a male seminary a mile west of Tahlequah and a large female seminary to be located between Tahlequah and Park Hill, but these schools were not completed until 1850. They were both remodeled and enlarged in 1875, and were undoubtedly the best buildings, with the most advanced courses of study, ever established by an Indian tribe.

Hundreds of cultured women and men now residing in Eastern Oklahoma received their education in these institutions. The Park Hill Female Seminary was destroyed by fire in April, 1887,

but within six months the cornerstone of a new and larger building was laid on the new site in the northern suburbs of Tahlequah. The Cherokee Baptist Academy, built many years ago by the Baptist Home Mission Society, was maintained at Tahlequah for many years and was patronized by Cherokees and by many whites or non-citizens who did not have access to the seminaries.

The Tahlequah Institute, a Presbyterian Mission School, was for many years, one of the best educational institutions in the territory. It admitted both Cherokees and white pupils.

The cornerstone of the new female seminary was laid by the Masonic Lodge on April 25, 1888, and speeches were made by Chief Joel B. Mayes, Assistant Chief Samuel Smith and Col. William P. Ross. The occasion was a great event in the history of the Cherokees, hundreds of Indians and whites being in attendance. A large part of the Tahlequah Institute was burned in 1898 while the school was in charge of Dr. C. A. Peterson, a very competent educator. It was promptly rebuilt, however, and for several years continued to do excellent work.

In 1844 Tahlequah was visited by a delegation of Mormons, migrating toward the West, who passed through Tahlequah and being fascinated by the beautiful scenery of the neighborhood, decided to locate there and establish a Mormon society among the Indians. Being industrious and energetic, they began to manufacture brick and built some of the first brick houses erected in the town, including the old, historic National Hotel which, for many years was headquarters for council members and visitors. Aunt Eliza Alberty, a fine old Cherokee lady, proprietor of this hotel until a few years ago, could relate many interesting stories of the political schemes that were devised and intrigues that were plotted by both Indians and whites in the olden days.

But while the Cherokees admired the enterprise and energy of the Mormons, they did not take kindly to their religious notions and in a few months the Mormons left the town in search of a place where their religion might receive a more cordial welcome. The Cherokees were too well grounded in the religion of the Baptists, Presbyterians and Methodists to receive with favor any religious teachings in conflict with those which they had already accepted.

The Cherokees were, perhaps, the first Indian tribe to make provision for the care of their orphans. Their National Council,

in session at Tahlequah on March 25, 1871, passed an act providing for the establishment of an orphan asylum or home and for a year or two thereafter their orphans were cared for at the male seminary, but in 1873 a permanent home for orphans was located at Grand Saline, near the present site of the town of Salina.

For many years Tahlequah continued to be the principal trading point for the Cherokees and for the whites who had drifted into the territory, but it remained an inland town until the branch of the Frisco railroad was built from Okmulgee to Muskogee and on through Tahlequah to Fayetteville, Ark., in the early part of the present century. Prior to the arrival of the railroad, a regular stage line was maintained between Tahlequah, Fort Gibson and Muskogee.

The National Council was required by law to hold annual meetings at Tahlequah and special meetings were often called by the chief. These sessions of the council were made the occasion of a general gathering of the people, Indians and non-citizens, many of whom came seeking certain legislation in which they were specially interested, while many others came to meet old acquaintances and renew old friendships.

The Cherokees were divided into two political parties, one faction being followers of John Ross, their long-time chief, and the others being followers of John Ridge. This division into two parties originated back in Georgia, where the "Ridge" men favored giving up their eastern possessions in exchange for the Indian Territory reservation, while the "Ross" party bitterly opposed their leaving Georgia. These parties were afterward known as the "Nationals" and the "Downings," and these party divisions were strictly maintained until the final dissolution of the tribe. They were fond of politics and adept in the political game, many of their political campaigns being bitterly fought, and the schemes, tricks and arguments which they could devise during a campaign would do credit to a presidential campaign. They were naturally fond of holding office, and many of them have not yet been able for forsake that habit. One of them, Hon. Robt. L. Owen, has represented Oklahoma in the United States Senate ever since statehood, and as a debater and financier he holds high rank in the Senate. Another Cherokee, William W. Hastings, a graduate of their male seminary and a prominent lawyer of Tahlequah, has represented this district in Congress, but was defeated a year

ago by Miss Alice Robertson, the only female member of Congress, by a small majority. From 1891 to 1906, Mr. Hastings was the national attorney of the Cherokees and rendered valuable assistance in settling up the somewhat complicated affairs of his tribe. O. H. P. Brewer, another prominent Cherokee and a product of their seminary, has just recently retired from the office of postmaster of Muskogee after filling that office for four years. Many other Cherokees have held and now hold important positions in the new State of Oklahoma.

The firm of Stapler & Sons was one of the first merchandise firms to locate in Tahlequah and during all the years that have since come and gone, they have been among the leading merchants and builders of the town. The Wyly Brothers were among the pioneers in business and still remain in business there.

Other merchants who are entitled to be classed among the pioneers were: A. E. Brown, druggist; R. W. Foster, lumber dealer; J. W. McSpadden, proprietor of a roller mill; T. J. Adair, general store, and J. A. Lawrence, general store. The Bank of Tahlequah, a private institution, was established about forty years ago, and was managed principally by the Stapler family, James S. Stapler being its president. John W. Stapler, the elder, was a white man who settled in Tahlequah many years before the Civil war. He married Miss Jane Hicks, a niece of John Ross, the old chief, and for many years was a man of influence among the Cherokees. He died in 1885 and his business was continued by his two worthy sons. The Stapler store and old family residence adjoining were destroyed by fire in the early morning of October 19, 1897, incurring a loss of $18,000. Houston B. Tehee, a clerk in the store and who has just recently retired from the office of register of the United States Treasury, was sleeping on the second floor of the store, and barely escaped with his life. The store was soon rebuilt, but as in those days all goods had to be hauled across the country from Fort Gibson, there was some delay in restocking it.

A number of societies were established and permanently maintained at Tahlequah in an early day, perhaps the most important of which was the Woman's Christian Temperance Union. This society was active from the beginning of its organization and wielded a wholesome influence in the cause of temperance, an influence that was very much needed in the early days. This

society was honored by a visit from Frances E. Willard, the noted temperance evangelist.

In the years gone by Tahlequah has entertained many persons of national distinction among whom were: John J. Ingalls, United States Senator from Kansas; Henry L. Dawes, Senator from Massachusetts, and his gifted daughter; Washington Irving; Hon. James Bryce, former ambassador from Great Britain, and numerous notables, including prominent Union and Confederate generals of the Civil war period.

The old Cherokee Advocate was succeeded by the Tahlequah Arrow, a good weekly newspaper which, for many years was edited by Mr. Waddie Hudson, one of the substantial citizens of the town for many years. Mr. Hudson retired from the newspaper business a few years ago and is now conducting a bank at the town of Park Hill, just a few miles south of Tahlequah. The Sentinel, also a weekly newspaper, was edited years ago by Mr. F. P. Shields.

Tahlequah was incorporated under Cherokee law on December 20, 1890, and under that incorporation Mr. G. W. Hughes was elected as the town's first mayor and Messrs. J. S. Stapler, E. C. Boudinot, Jr., T. J. McSpadden, T. J. Adair and B. W. Foreman were chosen as the first aldermen. The town did not increase in population to any extent for many years, partly on account of its remoteness from any railroad, and perhaps, like most other capital towns, it seemed content with entertaining the National Council when in session, and with patiently waiting for the next session to arrive.

As the years rolled by, however, other towns began to spring up and grow and finally the citizens of Tahlequah woke up and decided that they could build a real town also. They concluded that Tahlequah should have a Federal jail in which to confine Federal prisoners who were captured in their part of the country instead of hauling them in wagons thirty-five miles across the country to Muskogee. They interviewed Judge John R. Thomas of the Federal court, who assured them that he would recommend that their wishes be satisfied in that matter.

Chambers of commerce or boards of trade were being organized in the various towns of the territory and Tahlequah determined not to be behind the times in this respect, and on August 23, 1897, the citizens of Tahlequah met in the Cherokee Council house for

the purpose of organizing a board of trade or commercial club. It was the concensus of opinion of the 100 men assembled that the time had arrived for Tahlequah to get busy in looking out for its own interests and to keep pace with the other towns of the territory in pushing forward for more business and better conditions. A board of directors was elected consisting of Messrs. J. W. McSpadden, J. A. Lawrence, T. J. Adair, Percy Wyly, J. S. Stapler, J. P. Buster, Waddie Hudson, W. P. Thompson, E. E. Starr, R. C. Fuller, A. M. Crafton, J. T. Cunningham, James King and John E. Thompson. These directors were all pioneers and property owners and they immediately got busy in cleaning up and improving the town. They devoted their time and money toward securing such needed improvements as would make Tahlequah a first class town.

After being an inland town for sixty years, Tahlequah citizens concluded that the time had arrived to build a railroad and several attempts were made before they were permitted to hear the whistle of the locomotive. The right-of-way was granted for a north and south railroad and the road was graded for many miles, but the contractors, for some reason, fell down on their proposition and the road was never completed.

During the early part of 1902, however, a line of railroad was projected from Fayetteville, Ark., to Tahlequah, for which the citizens of Tahlequah made a liberal donation, and during the Autumn of the same year the road was extended on to Muskogee and Okmulgee. This railroad was first known as the Ozark and Cherokee Central, but was later absorbed by and became a branch of the Frisco system.

This road winds around the picturesque hills and valleys of the territory, making the distance between stations much longer than the route by which the crow flies. It has been intimated that the projectors of the road purposely stretched out these distances as much as possible, with the hope of being able to sell out at a fixed price per mile. Be that as it may, the ride from Muskogee to Tahlequah and on east to the Arkansas line is one of the most picturesque in this part of the country. Soon after this road was completed the resplendent scenery along the Illinois River and its tributaries, a few miles east of Tahlequah, together with the good fishing and hunting, attracted the attention of the residents of the cities of the eastern part of the state and numerous club-

houses were erected which have become very popular summer resorts. Wauhillau, the largest of these clubhouses, is located on the Barron Fork, a tributary of the Illinois River, while the Sequoyah Club is located on the bank of the river.

The darkest page in the history of Tahlequah was that of the Civil war period. For more than twenty years the Cherokees had busied themselves with the task of clearing land, building houses and fences and developing farms. Many of them were slaveholders and with their cheap labor they had been able to produce abundant crops and accumulate herds of cattle, horses and hogs, in short, many of them lived in affluence, but the war, with its bitter animosities, left the majority of them penniless. Their homes were burned, their crops destroyed and their livestock confiscated and driven away. It would be difficult to find a section of the South which suffered more severely from the ravages of war than the vicinity of Tahlequah and Cherokee County. Neighbor was arrayed against neighbor and friend against friend, until finally, nearly all of them were compelled to abandon their homes and flee to the North or South, as their sympathies inclined them. The fact that one army would gain control of this section, only to be driven out by the opposing army, doubtless caused far greater suffering than would have resulted if either army had been able to retain possession of the town and surrounding country throughout the entire war. Their return to their dismantled homes so soon after the close of the war, their mutual agreement to forget the cruel dissensions engendered by the war, and the fortitude which they displayed in undertaking the task of rebuilding their devastated homes, were unmistakable evidence of the possession of a high standard of character.

During the war many of their stores were looted, their churches defaced and their schools abandoned, some of their school buildings being used as barracks by the soldiers, but soon after the war-whoops were stilled their stores were reopened, their churches repaired and their schools reorganized. Their remodeled female seminary, located in a beautiful natural grove in the northern suburbs of the village, was soon again filled with Cherokee girls and continued to be the pride of the nation. It has been stated elsewhere that this seminary was undoubtedly the finest school building ever erected by an Indian tribe, and for many years it was the most imposing structure of any kind in the Indian Terri-

tory. During the spring of 1909 it was sold to the state and became the home of the Northeastern State Normal School. On May 27, 1909, the final closing exercises of the seminary were held and were attended by hundreds of Cherokees from all parts of the nation. Upon this occasion two old Cherokee ladies, who had graduated from the seminary fifty-one years before, occupied seats on the stage with the last graduating class, dressed in the garb which they had worn on their graduation day. Many tears were shed by the ladies present as they recalled the many pleasant memories associated with their beloved alma mater and realized that its doors were being closed forever. As the seminary was approaching the end of its career, Mrs. R. L. Fite, a graduate in the class of 1880, and since a very prominent lady of Tahlequah, wrote of it as follows:

"Whatever mistakes our ancestors might have made, they took great pride in their daughters and saw that they were properly trained for the duties, the realities and responsibilities of life.

"The present life of the seminary is exceedingly prosperous. It is equipped with all the appliances for the modern art of teaching and in every way stands out as a shining monument to the achievements of a proud people.

"The past and present we know, but what of the future? We ask no higher reward than it be worthy of the name it bears and that its identity be not lost in the coming years, but may the thread which is broken now be woven into a brighter and fresher web. May its volume of usefulness be increased and enriched as it flows down into the remote future, and may every Cherokee woman hand down to her posterity the fact that this institution was the creation of their forefathers and the pride of their hearts. The sun has set forever on the Cherokee Female Seminary."

Tahlequah has entertained many interesting and important conventions and celebrations among the last of which was known as the "Rodman Wanamaker" expedition. Rodman Wanamaker of Philadelphia had formulated a plan of presenting to every prominent Indian tribe an American flag, accompanied with patriotic addresses. This expedition, led by Dr. Joseph K. Dixon, arrived at Tahlequah in its special car on the morning of June 11, 1913, near the date upon which the final steps were being taken toward winding up the tribal affairs of the Cherokee Nation.

The celebration was attended by several hundred Cherokees

and the exercises of the day were very impressive. The flag was unfurled to the breeze on the old capitol grounds by Cherokee volunteers, while the whole assembly joined in singing "The Star Spangled Banner." Phonographic speeches by President Wilson, Secretary of the Interor Lane and other Washington officials were reproduced for the entertainment of the audience, followed by a patriotic address by Dr. Dixon. Responses were made by W. W. Hastings and R. M. Wolfe representative Cherokees pledging loyalty to the Government and the flog. After a day pleasantly spent with the Cherokees the Wanamaker expedition moved on to Okmulgee where a similar program was carried out on the following day in the presence of a large concourse of Creeks.

Tahlequah is now a modern little city of 2,500 inhabitants, and is one of the best home towns in Oklahoma. Its natural surroundings are picturesque, its supply of water is of the purest quality, it is sanitary and healthful, and it has numerous comfortable and well-shaded homes. It has an excellent public school system in which fourteen teachers are employed, and its advanced pupils have access to the Northeastern State Normal School.

All of the leading denominations maintain churches and the Sunday schools are well patronized. A very large percentage of the Cherokees are church members and some of them are very earnest, conscientious Christian workers.

Tahlequah has three newspapers, a city hall, a fire department of twenty men, a telephone system, an electric system, a good water and sewage plant, two substantial banks, a Carnegie library, about ten good stores and the usual number of shops and restaurants found in any town of its size.

Park Hill, a small town, located on the railroad five miles south of Tahlequah, is noted principally for its connection with the history of the Cherokee Nation. It has a bank controlled by Mr. Waddie Hudson, for many years the editor and proprietor of the Tahlequah Arrow, an old-time newspaper which is still published, and several general stores. The old Park Hill Female Seminary, which was destroyed by fire many years ago, was the leading school for girls in the Indian Territory for many years. The Cherokee Orphan Academy is located just west of Park Hill, and is now the only Indian school still in existence in that part of the country. John Ross, the noted first chief of the Cherokees, maintained a palatial residence near Park Hill for many years.

As stated elsewhere, John Ross died while on a trip to Washington, D. C., in August, 1866, and was buried at the old home of his second wife, near Wilmington, Del., but his body was soon taken back to his old home and buried near Park Hill. Upon the occasion of his burial at the latter place, his gifted nephew, William P. Ross, who succeeded him as chief, delivered an eloquent oration before the Cherokee council at Tahlequah, a portion of which was as follows, taken from the little book "The Life and Times of Hon. William P. Ross":

"My friends: We have come to bury the body of John Ross. We have come to pay homage to his memory as a father, a friend, a neighbor, and the oft chosen ruler of our nation. Upon this sacred eminence he often followed to their last resting place departed friends. Here where he often lingered and pondered, here in view of that shaded streamlet and yonder picturesque hills, of that stately edifice erected through his instrumentality for the education of the daughters of his nation, of the church in which he worshipped, of the blackened ruins of his home, once the abode of peace and refinement, of domestic happiness and enlarged hospitality. Here in the presence of friends and kindred whom he had loved so well, and of the people whom he served through life, and upon whom he bestowed his dying benedictions, we commit to earth the mortal remains of a man who long moved among his people without a peer. Possessed of a robust constitution, a sound and well-developed body, a vigorous mind and a will that calmly met the perplexities of public life and successfully battled its greatest trials, the time in which he lived and the position which he occupied drew around him on one hand a friendship that never faltered, and on the other hand caused him to be assailed with a malignity without a parallel. We claim not for John Ross exemption from error and imperfection, but believe, that he enjoyed in an eminent degree a power of intellect and endurance, a tenacity of purpose and an earnestness of soul which belong only to great men, qualities which impress themselves upon the character of the day in which their possessors live, and send an influence far down the stream of time. * * * It is proper that here his dust should mingle with kindred dust, and that a suitable monument should arise, to mark the spot where repose the bones of our greatest chieftain. It will keep alive within our bosoms a spirit of patriotism. It will impart strength and hope in the hour of adversity. It will teach

us to beware of domestic strife and division. It will serve to unite us more closely in peace, in concord and in devotion to the common welfare. It will soften our asperities and excite the thoughtful youth of our land to patience, to perserverance, to success and to renown."

CHAPTER XXX

SEQUOYAH COUNTY

A SKETCH OF ITS HISTORY AND DEVELOPMENT—GROWTH OF SALLISAW, ITS COUNTY SEAT—ARGYLE QUESENBURY—CHARLES O. FRYE—PIONEERS.

Sequoyah County was named after the noted inventor of the Cherokee alphabet. It is located midway between the north and south boundaries of Oklahoma, adjoining the State of Arkansas on the west. Prior to the allotment of Indian lands its development was rather slow, as the real estate was still the common property of the citizens of the Cherokee Nation and none of it could be sold. After the restrictions were removed upon portions of the land so that valid titles could be made, enterprising farmers began to improve and develop farms, the various towns became active and an era of prosperity soon followed.

Almost every grade of land can be found in this county, varying in character and quality from the rough, rocky spurs of the Ozark hills which project across the state line from Arkansas, into the northeastern section of this county, to the very fertile valley of the Arkansas River, which forms its whole southern boundary.

It naturally follows that the diversity of soil makes it possible to produce many kinds of crops. Cotton, corn and potatoes are the staple crops produced, while oats, peanuts, kaffir and vegetables grow abundantly. Until recent years not much attention was paid to raising wheat, but it has been demonstrated that it also can be profitably produced. The rough tracts of land which are unfit for grain products, are well adapted to horticulture. Apples, peaches and strawberries are already being produced, but a more extensive and systematic development of the fruit industry is needed. Land, well-adapted to fruit raising can be bought at very low prices and in the not very distant future, fruit growing will doubtless be one of the leading industries of the county. The

mast of the woods and the grass on the hillsides make the raising of hogs and cattle a profitable business. The short, mild winters make it possible to pasture cattle with little or no extra feed, throughout the year.

Sequoyah County is fairly well supplied with railroads, the Kansas City Southern line traversing the county from north to south, and a branch of the Missouri Pacific crossing the county from the northwest to the southeast, thus affording the farmers and merchants convenient transportation facilities in almost every direction.

The Albert Pike Highway, projected from Hot Springs, Ark., to Colorado, passes through this county, and the citizens, especially of Sallisaw, are becoming actively interested in the construction of permanent roads.

SALLISAW, SEQUOYAH COUNTY'S FLOURISHING CAPITAL

Sallisaw, the county seat of Sequoyah County is now a city of 2,600 inhabitants, centrally located at the Junction of the Arkansas Valley Railroad (now known as the Missouri Pacific), with the Pittsburg & Gulf Railroad (now the Kansas City Southern). The first mentioned road was built in 1887, while the other was not completed until 1895. Soon after the arrival of the Valley Road, Argyle Quesenbury and W. W. Wheeler, two white settlers, platted a portion of their land into town lots and brought the Town of Sallisaw into existence.

Mr. Quesenbury settled in that neighborhood in 1875, being perhaps its first white settler. The citizens of Sallisaw regard him as the father of their city, as he not only founded it, but has ever since manifested a lively interest in its welfare, always taking the lead in all civic, charitable and educational projects for the betterment of conditions. When Sallisaw became an incorporated town he was chosen as its first mayor and his administration was characterized by honest, efficient business policies. He also manifested an interest in the religious welfare of the community by donating sites for all denominations who desired to build churches.

Mr. W. E. Whitsett is credited with having located the first general store in Sallisaw.

He had been a country merchant, located at Old Childress Station, an inland division point on the Butterfield Stage Line, which

SEQUOYAH COUNTY COURTHOUSE, SALLISAW

HIGH SCHOOL, SALLISAW

extended from Muskogee to Fort Smith, but upon the arrival of the railroad, he moved his stock of goods to the new town of Sallisaw. Messrs. Quesenbury and Wheeler had also been conducting a country store, a few miles away, for several years prior to the birth of the new town.

Charles O. Frye has also been closely identified with the growth of the City of Sallisaw and the development of the industries of Sequoyah County. He is a Cherokee by blood, was born in the Cherokee Nation in 1854 and has resided continuously in that vicinity. He has held numerous positions of honor and responsibility, both in the Cherokee Nation and in the service of the Federal Government. During the early eighties he was elected as a member of the Cherokee Senate and a few years later he served as clerk of the Cherokee Commission, in its negotiations with the United States. He has also served as deputy United States marshal, and during President McKinley's administration he was appointed as postmaster of Sallisaw. In every position he has been faithful to the trust reposed in him.

W. H. McDonald was the first merchant to establish a large general store in Sallisaw, his location dating from the summer of 1896.

W. W. Wheeler erected the first substantial business house, using the native stone in its construction, and it was occupied by Meyer & Wolf as a general store. All the other business houses were of frame structure until 1899, when the wooden buildings began to rapidly give place to up-to-date brick and stone business blocks.

In May, 1919, Sallisaw was incorporated as a first class city, under the laws of Oklahoma and Mr. R. Kobel was chosen as its first city mayor. In November, 1919, the city adopted the managerial form of government and chose R. Kobel, C. E. Henderson and L. C. Moore as its first Board of Commissioners.

In 1908 the city installed a system of waterworks and electric lights and in 1912 built a sewer system.

Among other industries, the city has a cotton compress, a cotton oil mill, four cotton gins, an ice plant, a wholesale grocery, two flour jobbers, two lumber yards, three banks, seven churches, a good high school, two graded schools and a first class hotel.

Plans have been drawn and a contract awarded for a new city hall. The American Legion is pushing the city hall proposition

and will occupy some of its rooms. The city also has a good courthouse and numerous modern homes.

Sequoyah County, in addition to its thriving county seat, has quite a number of smaller towns, the principal ones being Muldrow, Vian, Gore, Gans and Marble City, all of which are convenient local trading points for the farmers.

Soon after the Cherokees emigrated to Indian Territory, one of the most important Mission Schools was established in the northern part of this county by the Presbyterians, known as Dwight Mission, which has done its full share, during the past eighty years, toward educating and Christianizing the Indians.

CHAPTER XXXI

ADAIR COUNTY

AREA—FRUIT AND BERRY CULTURE—STILWELL—STILWELL'S CHURCHES —PUBLIC SCHOOLS—BANKS—PETITION FOR INCORPORATION—WESTVILLE.

Adair County was named in honor of Watt Adair, one of the old time Cherokees who was one of the first settlers of Indian Territory.

His son, Hugh M. Adair, took an active part in the development of Eastern Oklahoma and is still one of its honored citizens.

Adair County is located in the eastern part of Oklahoma adjoining the counties of Benton and Washington, State of Arkansas, on the west and Cherokee County, Oklahoma, on the east. The western slope of what is called the "Ozark Uplift" of Arkansas extends into Adair County, giving it a healthful altitude of one thousand feet or more. It is about thirty-six miles in length north and south, with an average width of sixteen miles, containing 587 square miles of land. The greater part of the county is rough and hilly and originally was heavily timbered. The hilly sections are underlaid with sandstone, limestone, and granite which very closely resembles marble. These hills are plentifully supplied with sparkling springs, good grass, and of late years the residents are just becoming fully cognizant of the fact that much of this rough, cheap land is well adapted to fruit and berry culture.

Already thousands of crates of strawberries are being shipped to northern markets and under intelligent direction this section of Oklahoma will soon compete with Arkansas in the production of fine apples.

Adair County boasts of being one of the best watered counties of the state, its numerous springs forming little streams which furnish pure water for every neighborhood. Of these streams the Barron Fork, Sallisaw Creek, Lee's Creek, Ballard Creek and

others, all tributaries of the Illinois and Arkansas rivers, not only supply pure water to the inhabitants of the county, but furnish great sport for anglers.

The greater part of the hilly sections of this county is still covered with timber, consisting of oak, hickory, walnut, ash, elm and sycamore, much of which is suitable for making furniture and building material. No special effort has yet been made to develop the mineral resources. Fifty years ago some lead was found from which the Indians molded their bullets, but lead has not yet been found in paying quantities. Two attempts to drill for oil were made some time ago but without success, although the land owners are still hopeful of finding lead, oil and gas.

The valleys of the numerous streams of Adair County are very fertile, producing practically all of the crops of the temperate zone. Corn, cotton, wheat and oats are the staple crops, but alfalfa, timothy and potatoes are produced in limited quantities.

Although quite a number of orchards have existed for many years, the citizens of the county have only recently begun to appreciate the possibilities of fruit and berry culture and to apply modern, intelligent methods in the care and development of orchards. Systematic spraying of fruit trees is now being advocated, although when first begun it met with opposition from some farmers who feared that the chemicals used in spraying would poison their bees. It was soon demonstrated, however, that the difference in value between the products of sprayed orchards and those not sprayed far exceeded the value of all the honey obtained from bees.

When the Cherokees were driven from their homes in Georgia and Tennessee nearly a century ago, some of their most prominent families settled within the present limits of Adair County, attracted hither no doubt by the primitive forests and beautiful streams where game and fish were plentiful.

Among them were the Ryder family, Augustus and Austin, who came from Tennessee in 1832, and settled a few miles east of the present City of Stilwell. Here in 1856, Thomas L. Ryder was born, who not only became prominent in Cherokee affairs but since statehood has been elected three times to serve his district in the lower house of the Legislature and once in the State Senate. At the age of sixty-six he has now retired and resides in Muskogee, surrounded by a family of children.

Mark Bean, another Cherokee, emigrated to this neighborhood in 1832, developed a farm and reared a family of boys.

The Starr family, George, Caleb and Noon, were also prominent Cherokees who established homes here in an early day, locating on the beautiful Barron Fork, a tributary of the Illinois River, and on Sallisaw Creek, farther south.

Louis Downing, a full-blood, who was afterward elected Chief of the Cherokee Nation, established his home on Lee's Creek.

Walter Duncan and his brothers, Clint and Charles, were among the other prominent Cherokees who located in the Valley of Barron Fork.

Charles Duncan, for many years, was a prominent Cherokee preacher. One of the historic spots in this vicinty is the site of the old Flint District Courthouse of Cherokee days. This temple of justice was a two story frame structure, located on Sallisaw Creek, seven miles east of where Stilwell is now located. Many important trials both civil and criminal were held in this historic old courthouse during the days when the laws of the Cherokee Nation were in full force and effect. Many good old Cherokees will tell you that their old time laws were more rigidly enforced and penalties for violation of law were inflicted with more certainty and with less delay than is now customary under the rule of the white man.

Some of their old laws provide that such offenses as theft and assault should be punished with a given number of lashes upon the bare back of the offender, with double the number of lashes for a second conviction of the same offense, and it was not unusual, in the olden times, for an offender to be arrested, tried, convicted and punished all in one day.

If not recently destroyed, the old forked tree still stands near the Flint District Courthouse, to which the criminals were tied while receiving their punishment. During the later years of the life of the Cherokee Nation, however, punishment by fine and imprisonment was substituted for the whipping post. Under the old Indian regime, much annoyance and chagrin was often experienced by the tribal officials by reason of the fact that no white man, no matter how detestable he might have been, nor how flagrant his offense, could be tried or punished by the tribal courts. It is barely possible that the careers of certain white interlopers

might have been checked if they had not been permitted to enjoy such immunity.

STILWELL

Stilwell, the county seat and largest town of Adair County, was named for a Mr. Stilwell who was the first superintendent of the Kansas City Southern Railroad which traverses the entire length of the county from north to south. The city is located very near the geographical center of the county and it first appeared on the map in 1895, about the time the railroad builders reached that point, although a postoffice by the name of Flint, a general store and a few houses had been in existence in that neighborhood for many years, and the New Hope Methodist Church, established by the Missionaries, was in the same vicinity.

Samuel Johnson, a Cherokee, owned the land upon which Stilwell first began to build and as the town began to grow, tracts of land belonging to Lizzie Freeman, wife of Ben Freeman, of Judge Charles Patterson and Henry Dannenberg, were added to the townsite.

All these persons were Cherokees and all were pioneers of Stilwell, when the name of the post office was changed from Flint to Stilwell and Thomas Johnson became the first postmaster of the new town.

All of these pioneers have passed on to the happy hunting grounds except Samuel Johnson who resides in a comfortable home in Stilwell located on the same spot of ground where his log cabin of pre-war days stood.

Rufus Allison, Paden & Graham, J. L. Cox and A. Shannon were among the pioneer merchants, and R. I. Hyatt established the first drug store.

Mr. J. C. Holleman was Stilwell's first mechanic, he having located there several months before the railroad arrived. He was adept in repairing farm machinery, wagons and buggies. A few years after locating there he built a wagon and carriage factory and was one of the busiest men in Stilwell.

Mr. D. B. Collums for many years has been one of the substantial citizens of Stilwell. Soon after statehood he was appointed by Governor Haskell as a member of the first state textbook commission. Upon that commission devolved the onerous task of

STREET SCENE, STILWELL

selecting all the textbooks to be used in the public schools of the state. Mr. Collums has filled other positions of honor in the county and state and at present is editor of the Stilwell Standard, the principal newspaper of Adair County.

An institution which has rendered faithful service to the citizens of Stilwell and Adair County is its flouring mill and elevator. It was established in 1905 and besides grinding wheat and corn for its customers, it ships large quantities of grain to Kansas City and St. Louis.

One of the first permanent general stores in Stilwell was established by Mr. J. L. Morton. He came from Arkansas and began selling goods in 1908 and as the town grew his business expanded. In 1909 he erected a substantial two story brick store building and filled it with stocks of dry goods, clothing and groceries. For several years he also operated a sawmill and shipped large quantities of hardwood to Kansas City.

In 1906 the Cane Hill and Stilwell Telephone Company was organized with Mr. R. S. Robinson as general manager. The lines of this company were gradually extended until Stilwell was finally placed in telephonic communication with many towns of Eastern Oklahoma and Western Arkansas.

Mr. S. M. Crocker, a Cherokee by blood, was one of the pioneer ministers, who later in life studied law and practiced in the Cherokee courts and in the State courts. He was a native of South Carolina, educated in Tuscumbia, Ala., and, accompanied by his brother, S. B. Crocker, came west in 1870 and located in the Cherokee Nation. Both of these men were Baptist preachers and for many years were engaged in missionary work among the Indians.

Mr. F. A. Blanck was one of the town builders who located in Stilwell when the town was young. He engaged in the lumber business for several years and, assisted by his brother, C. S. Blanck, he built quite a number of houses and for a while conducted a general merchandise business. About 1908 the two brothers took up the real estate and farm loan business and their transactions were extended over several adjoining counties.

Dr. J. A. Patton was one of the pioneer physicians of Stilwell, locating there when the town was scarcely a year old. He came from Arkansas and was a graduate of a medical college in Louisville, Ky.

STILWELL'S CHURCHES

Substantial churches are now maintained in Stilwell, the Methodists, Presbyterians, Baptists and Christians being the principal denominations represented. The Methodist Church was the first to be completed, Rev. G. M. Byers being for many years the minister in charge.

The Baptists, Christians and Presbyterians followed in the order named and each of these four religious bodies now has a good church edifice and each maintains an active Sunday school organization.

Stilwell built an excellent water plant in 1911, getting its supply of water from springs that flow out of the hills two miles away. A large cement basin was constructed near the springs and from it the water is carried through pipes to all parts of the city.

In 1911 the city also installed an electric light plant for the inhabitants of the city. The waterworks and light plant were erected by the city out of the proceeds of bonds voted by the citizens.

In 1916 a substantial County courthouse was erected in Stilwell. It is built of native stone, is two stories in height and contains suitable office rooms for all of the county officials.

PUBLIC SCHOOLS

Stilwell has developed a very good system of public schools which now employs a corps of thirteen teachers. Its principal school building is a two story brick, with large basement. Apparatus has been installed for teaching chemistry, domestic science and agriculture.

The city has, however, outgrown its school facilities and preparations are now being made for erecting a suitable high school building. It will be provided with modern apparatus and will increase the efficiency of the school work by relieving the present crowded conditions of the schools.

BANKS

Stilwell supports two substantial banks. The Adair County Bank, established in 1907, was the first in the field, and after operating for four years as a state bank it was reorganized and changed into a national bank, now bearing the name of the First National

Bank of Stilwell. In June, 1914, another bank was organized under the banking laws of Oklahoma, called the First State Bank of Stilwell. These banks are conservatively managed and enjoy the confidence of the people of the city and county.

Stilwell is now a prosperous little city of about sixteen hundred inhabitants, has good homes and is a very pleasant place in which to live. Its prosperity will be very materially advanced when the cheap hillsides tributary to the city are given an opportunity to produce the fine crops of apples, grapes and berries for which nature has designed them.

PETITION FOR INCORPORATION

"To all whom it may concern:

You will take notice that the following petition for the incorporation of the Town of Stilwell was filed in the United States Court October 3, 1896, and the date of hearing said petition was fixed for December 1, 1896. And the final hearing of the same will be had in said court at Muskogee January 2, 1897, at which time petitioners will ask for final order incorporating said town. All who may have a right to appear and object to said proceedings are warned to do so on said day, January 2, 1897.

Witness: J. P. Willis, S. L. Johnson, William Allison, John Goss, J. H. Dannenburg, Frank Black and John Hunt, petitioners for incorporation.

To the Honorable William M. Springer, Judge of the United States Court for the Northern District of the Indian Territory.

Whereas: The town of Stilwell, Indian Territory, has a population of about five hundred and is rapidly growing and is destined to be at no very distant day one of the leading cities of the Indian Territory, and being without any kind or form of self government;

We, the undersigned petitioners and citizens of said town and Territory, feeling and realizing by almost daily experience the absolute need of some form of city government whereby law and order may be enforced and upheld, and crime subjected to that degree of punishment which civilized society has always and will forever maintain, and whereby we may be more closely united for much needed public improvements, for the upbuilding of society;

Therefore, in pursuance of an act of Congress adopting Chapter 29, Part 1, of Mansfield's Digest of the Laws of Arkansas respecting Municipal corporations, we respectfully petition Your

Honor to decree us a body corporate with all the powers and privileges granted under said law for the prevention of crime and the enforcement of law and order, and intrinsic maintenance and such other power and jurisdiction granted under said law, and applicable to the condition of affairs in this country.

The territory for which we ask incorporation is bounded as follows to wit: Beginning at a point one mile due north of the center of Division Street where the same intersects the main track of the Kansas City, Pittsburg & Gulf Railway at the center of said main track, and running thence east one mile, thence south two miles, thence west two miles, thence north two miles, thence east one mile, to a point of beginning; the same being the said two miles square about the said point of intersection of said Division Street and the main track of said Kansas City, Pittsburg & Gulf Railway at the town and station of Stilwell, I. T.

For the plat of said above described territory, we refer Your Honor to plat hereto annexed.

We further pray that said town retain its present name, Stilwell.

The persons authorized to act in behalf of your petitioners, in prosecuting this petition, are J. P. Willis, S. L. Johnson, William Allison, John Goss, J. H. Dannenburg, Frank Black and John Hunt.

Signed: Ben. T. Goss, Austin McLane, George A. Rakestraw, William Patterson, A. L. Aken, M. Y. Sullivan, J. A. Dunn, W. A. Allison, J. Y. Jones, J. R. Allison, J. W. Morris, B. G. Fletcher, J. H. Dannenburg, N. B. Shelton, C. W. Gillim, Y. N. Dannenburg, R. S. Byrd, R. E. Jones, J. Y. Johnson, L. M. Stout, S. L. Johnson, J. C. Renckle, J. H. Morris, A. Wills, S. Goodboy, A. J. Warren, W. H. Cainell, J. T. Tally, F. A. Blank, E. B. Shepley, O. E. Franklin, J. J. Paden, William Gott, J. C. Hall, J. K. Ross, J. E. Painter, W. S. Snell, S. Z. Douglas, J. A. Patton, H. C. Beard, C. C. Claud, J. W. Ross, H. M. Adair, M. L. Paden, M. H. Gurren, Charles Bean, Charles Patterson, J. P. Deshon, John Hunt, John Goss."

WESTVILLE

Westville, the second town in size and importance in Adair County is located in the northern part of the county at the intersection of the Kansas City Southern with the Frisco Railroad, and

is the only town in the county having the advantages of two lines of railroad. It now has a population of about eleven hundred and enjoys an altitude of about eleven hundred feet. It was established soon after the Kansas City Southern road reached that neighborhood in 1895 and when the Frisco railroad arrived in 1905 it began to aspire to become a city. Quite a good deal of good farm land surrounds the town, much of which has been developed into good farms. A large portion of the soil in this section of the county is also well adapted to fruit-raising and the citizens have already begun to realize this fact. During the autumn of 1920, 150 carloads of apples were shipped from this point and a well organized fruit and berry association promises to make rapid improvement in systematic fruit-growing. During the year 1921, more than five hundred acres were planted to berries and grapes in this vicinity. Westville has quite a number of substantial brick business houses, many comfortable homes and several miles of cement sidewalks. The little city has its own electric light plant and water system, a good flouring mill, a cotton gin, a canning factory, a wholesale grocery, a wholesale flour and feed store, several general stores, two banks, two drug stores, two lumber yards, a weekly newspaper, two hotels, five churches and a good public school system in which eleven teachers are employed. Notwithstanding the serious financial depression which has checked the growth of many towns and cities, Westville built quite a number of new houses in 1921.

Quite recently the public-spiritedness of the citizens of Westville was demonstrated when almost the entire population of the little city turned out and cut down a hill nearby in order to meet the requirements of the Ozark Trails' Association, whose interstate highway was headed that way. Business and professional men donned their overalls and joined the laboring men with picks and shovels, while the women followed with their well-filled baskets of food. That sort of pluck and public spirit builds towns.

Adair has several small towns which afford good trading facilities for the farmers of their respective neighborhoods, among which are Watts, Ballard, Bunch and Proctor. Each of these villages maintains good stores, schools and churches, Watts being the largest of them. Watts has about five hundred people and it supports a larger public school system than is usually found in villages of its size, eight teachers constituting its faculty.

CHAPTER XXXII

DELAWARE COUNTY

AREA—VARIABLE QUALITY OF LAND—EARLY MISSIONARIES—OLD WATER MILL—GROVE: EARLY STORES—NEWSPAPER—SCHOOLS—CHURCHES—BANKS—JAY: COUNTY SEAT FIGHT—EARLY SETTLERS—CHURCHES—SCHOOLS—NEWSPAPER—BERNICE.

Delaware County is located in the northeastern part of the state adjoining Ottawa County on the south and the states of Missouri and Arkansas on the west. It contains about seven hundred-fifty square miles of land of variable quality ranging from fertile river bottom lands to rocky flint hills.

This section of the state, although important from a historical standpoint, is somewhat isolated by reason of the fact that its county seat and its largest town have no railroad connections with the other towns of Oklahoma. In olden times Delaware district wielded a great influence in Cherokee affairs and some of the most prominent Indians established their homes there soon after their arrival from Georgia, eighty years ago.

In 1838 a small military fort or garrison was established by the Federal Government in the eastern part of the present County of Delaware near the headquarters of Spavinaw Creek, and a son of Daniel Boone, the famous Kentucky scout, was detailed to take charge of it. It was called Fort Wayne in honor of General Anthony Wayne of Revolutionary war fame.

On account of the difficulty of reaching it with supplies, it was abandoned within a few years and its army accoutrements were transferred to Fort Gibson. General Stand Watie, one of the famous Cherokees who fought on the Confederate side during the Civil war, had a house within the present boundaries of this county and soon after the war he settled on his farm, near Grand River

again and lived there until his death, which occurred in September, 1871.

John Ridge, the leader of the party which opposed Chief John Ross was attacked and killed by some Indian outlaws, supposed to be friends of Ross, in the vicinity of this historic old cemetery.

He was buried in the Ridge (now called Polson) cemetery in the eastern part of Delaware County, with Masonic honors. His widow died in 1883 and was buried in the western part of Delaware County, near the Village of Bernice.

Archaeologists and geologists have been specially interested in the study of Delaware County on account of the numerous gracefully sloping mounds which are so numerous throughout this section of the state. Some have declared them to be the products of nature, while others maintain that they were built by the inhabitants of some remote period of time. Quite a number of ancient relics have been unearthed at different times in the past, which lead some scientists to believe that many hundreds of years ago, a race of people inhabited this section of the country that had made some considerable advancement in agriculture and civilization. The State Historical Society has made quite a collection of these relics and these mounds will doubtless be more thoroughly explored within the next few years.

The missionaries followed the Cherokees to their new homes in this section of the country during the early forties, the Moravians being the first to establish mission schools and churches for the Indians. As early as 1842 a little band of Moravians came from Bethlehem, Penn., and erected some buildings near the present site of the little town of Oaks in the southern part of Delaware County, some of which are still standing. This old mission was located near the headwaters of Spring Creek, a beautiful stream of clear water which rises near the Ozark uplift, flows west and empties its sparkling waters into Grand River, the stream which furnishes the City of Muskogee with an unlimited supply of pure water. Soon after the Civil war was over the Lutherans ventured into this remote neighborhood and established a mission in the southern part of Delaware County, which they have continued to maintain, and where they have built up a good church composed largely of full-bloods.

Another historic reminder of the olden days which may still be seen in this county is the old Head Beck water mill, located on

Flint Creek. It was built before the Civil war and the Indians for miles around carried their grists of corn to it, to be exchanged for corn meal. The old mill was a great blessing to the full-bloods of that community for many years, especially during the Civil war times when it was impossible for them to secure flour at any price. The old mill has outlived most of its former customers and on certain days of each month it continues its task of converting corn into meal.

The agriculturist or home-seeker can find in Delaware County, as in many other counties of Eastern Oklahoma, any kind of land which he may desire. Stretching across the northern part of the county is a fertile belt of land, about twelve miles wide and twenty-miles long, known as the Cow Skin Prairie, famous in the old cow-boy days for its rich pastures, and equally famous now for its productive corn and wheat fields. Many well-improved farms are now found in this portion of the county and the owner of a Cow Skin Prairie farm is justly proud of his possessions.

The foothills of the Ozark mountains project across the border lines of Missouri and Arkansas into the eastern part of Delaware County, making that section of the county rough, rocky and hilly. The little valleys furnish some fine tillable land and the rough, rocky tracts afford good pasture and excellent fruit land. Some beautiful scenery graces these hills and valleys which, as yet, is but slightly known to the people of the state. One of the favorite resorts of the Indians is known as the Dripping Spring, located on the allotment of Jeff Carnes, a Cherokee, residing in the southern part of the county, where a stream of water falls down over the rocks for a distance of nearly sixty feet.

The beautiful Grand River wends its way across the county in a southwesterly direction, its valley, together with the valleys of its numerous tributaries—Spavinaw Creek, Spring Creek, Saline Creek and others—being dotted with numerous fertile farms and some excellent timber.

A railroad is now being constructed from the Town of Salina on the Kansas, Oklahoma and Gulf Railroad into the southern part of this county, mainly for the purpose of marketing the virgin timber of that section.

The City of Tulsa, sixty miles away, is planning to connect with Spavinaw Creek by means of an immense water plant in order to furnish its residents with an ample supply of pure water.

GROVE

Grove, the largest town in Delaware County, is located in the northern part of the county and for many years bore the distinction of being the only railroad town, although its railroad did not reach any other section of the state. Many years ago a branch line was built from Southwest City, Mo., to Grove, a distance of about thirty miles and will doubtless be extended westward to either Afton or Vinita, sooner or later, in order to give Grove railroad connection with other parts of the state.

Capt. T. S. Remsen, perhaps the oldest resident of Grove, was the first postmaster and established the first store in the village, about fifty years ago. He died at his home in Grove on January 16, 1922, at the ripe age of seventy-eight years.

John H. Gibson, another pioneer, established the second store in Grove and founded the Weekly Sun, the only newspaper in Grove.

W. H. Dougherty, another old timer, built several of the first houses erected in the village and for many years has been one of the substantial citizens of the town.

W. P. Mayes, an old time Cherokee, brother of Ex-Chief Samuel H. Mayes, was for many years the proprietor of the only hotel in Grove.

Ed Casey, a prominent Cherokee, still resides on his farm adjoining Grove, and although ninety-four years of age, is still in the enjoyment of good health.

Ad V. Coppedge, a prominent attorney of Delaware County, has resided at Grove for many years.

At present, Grove has a population of about one thousand. It maintains a good public school, including a high school, ten teachers being regularly employed.

The Baptists, Presbyterians, Methodists and Christians have good churches and Sunday schools.

The town has a National bank and a State bank, and both are in a flourishing condition.

Grove has a canning factory, two elevators, a flour mill, about twelve stores, several shops and quite a number of good homes.

It is located on a ridge containing a natural grove of trees, from which the town derives its name, and is noted for its healthful surroundings.

Early in January, 1922, a disastrous fire occurred at Grove in which five store buildings and their contents were destroyed, entailing a loss of $40,000. Already work has begun in rebuilding the burnt district and the old buildings will soon be replaced by new and more substantial structures.

Upon the admission of Oklahoma into statehood, Grove was designated as the county seat of Delaware County. As it was the largest town and the only railroad town in the county, its selection was a most appropriate one, but it was unfortunate for the town that it was located so near the northern boundary of the county. The residents of the lower part of the county soon began to complain of having to travel so far to attend court and transact other county business.

JAY

A campaign was soon started in favor of locating the County seat in the exact geographical center of the county. The argument that such location would be fair to all residents of the county seemed plausible and the county commissioners were finally induced to call an election to be held on December 8, 1908, for the purpose of permitting the voters of the county to decide whether or not they favored the proposed change.

The geographical center of the county was found to be in the woods, with no habitation of any kind within a mile, but some town lot promoters got busy, cleared the timber from a virgin ten acre tract, platted it into town lots and gave it the name of "Jay" in honor of Jay Washbourne, a Cherokee, whose land allotment included the proposed new ten-acre townsite.

The election was bitterly contested and to the utter surprise and dismay of the citizens of Grove and the farmers of the Cow-Skin prairie, they were outvoted by the Indians living in the woods of the southern part of the county, a majority of the votes being cast in favor of the change.

The residents of the northern part of the county naturally thought that it would be an outrage to locate the county seat down in the woods where there were no houses, no railroad, no conveniences, and in order to forestall the threatened outrage they appealed to the courts to prevent the proposed change. After the contest was fought through the courts for nearly three years the

State Supreme Court rendered its decision in favor of Jay. In the meantime a few store buildings, residences and a frame courthouse were built at Jay and in December, 1911, the governor of the state issued a proclamation declaring Jay to be the lawful county seat. But their trouble did not end here. One W. J. Creekmore platted a forty acre tract into town lots adjoining the original ten acre townsite, erected a commodious frame building on it and tendered it to the commissioners for use as a courthouse. The offer was accepted by the commissioners, but the newcomers who had settled on the original ten acre site were opposed to Creekmore's offer and declared that they would not permit the courthouse to be moved.

Creekmore then appealed to the courts to aid him in securing the removal of the courthouse to his tract but it seems that the decision of the courts was not directly in favor of either side, but rather referred the contest back to the people of the county. In the meantime the residents of the original ten-acre site dug a trench around their courthouse and guarded it with shot guns declaring that they would not consent to its removal. Finally the governor issued a second proclamation declaring the first ten acre site to be the legal county seat, but by this time the contest between the two factions had become so bitter that civil war was threatened and the state militia was called upon to quiet the trouble. The adjutant general of the state visited the scene of trouble and after investigating the situation notified the people that the courthouse should remain where it was first located. The people acquiesced in this decision and the bitter feelings which had been engendered by the contest gradually subsided. In May, 1913, however, this first courthouse was destroyed by fire and funds were immediately raised by subscription with which to erect a one-story stone courthouse.

Jay Washbourne, on whose allotment the Town of Jay is located, has aided in getting the new town started. H. L. Marshall was the first attorney to locate.

Dr. A. G. Marchman was Jay's first physician; I. W. Ingram, the first abstractor and W. H. Doherty, the first banker. Hon. J. Grover Scales, a representative Cherokee, is the efficient county judge.

Tom Price, W. M. Sanders and Dick Duffield were the first merchants.

The Methodists, Christians and Baptists got busy soon after the new town site was platted and those denominations have established churches there and have organized good Sunday schools. When Jay was platted there was no schoolhouse in that vicinity except a dilapidated log house which had served the Cherokees for many years as a neighborhood school, but it has been abandoned and a good public school, including a high school, has taken its place.

Several stores and shops have been added, and in addition thereto, Jay now has a weekly newspaper called the Delaware County Chieftain, two hotels, two restaurants, a spoke and handle factory and a number of residences.

The National Hardware Company of Kansas City, Mo., is planning to make use of the fine virgin timber of the southern part of Delaware County; prospecting for oil, gas and lead in various parts of the county has already begun; the county has recently voted $50,000 to be expended in constructing good roads throughout the county, and the time is not far distant when Jay will come out of the woods and Delaware County will be brought into closer communication with the rest of the state.

BERNICE

The Kansas, Oklahoma and Gulf railroad extends across the northwest corner of Delaware County and the little town of Bernice has grown up over there. It has several general stores and has built up a good public school in which five teachers are regularly employed. Bernice has a population of 250 and as it is surrounded by a good farming country it is destined to become quite an important little city.

Preliminary steps have quite recently been taken toward establishing a county fair for Delaware County, the citizens taking the lead in this enterprise. Dr. A. J. Butts, W. D. Gibson and E. B. Wolfe have been chosen as the first directors of the fair association and William Kelso, a bank cashier, as secretary and treasurer. All of these men are residents of the Town of Grove, and they are planning to interest the boys and girls of the county by organizing poultry and farm clubs in the various school districts of the county.

CHAPTER XXXIII

MAYES COUNTY

HISTORY—AGRICULTURE—FROM U. S. DEPARTMENT—SCHOOLS AND ROADS—STREAMS AND RECREATION—RAILROADS AND SURFACE SURVEY—LIVE STOCK—TRUCK AND FRUIT—WATER SUPPLY—FUEL—THE PEOPLE AND LAND TITLES—FINANCE AND PUBLIC—PRYOR—HISTORY—GOVERNMENT—COMMERCE—COMMERCIAL CLUB—OKLAHOMA STATE HOME—OTHER TOWNS—CHEROKEE ORPHAN ASYLUM.

Mayes County, Oklahoma, located in the northeastern part of the state, was named in honor of Ex-chief Samuel Houston Mayes, who is now living in Pryor. All of the land comprising Mayes County was formerly a part of the Cherokee Nation, Indian Territory, with the exception of one township on the south, being a part of the Creek Nation. Mayes County enjoys a citizenship second to none in the state, for the reason that the Cherokee Nation played such an important part in the history making of Oklahoma, and that part of the Cherokee Nation that is now Mayes County furnished a liberal share of the history making of the Cherokee Nation.

HISTORY

From the time that Columbus discovered America, in 1492, up to the year 1541-2 or about fifty years after the discovery of America, the Territory comprising Mayes County had very little if any mention historically, probably the first white people to lay foot on Mayes County soil was in 1541 when De Soto the Spanish explorer and his expedition passed through what was then the Province of Mayes County to be. Other Spanish explorers and French explorers, explored this part of the country the following century and a half, the Spanish explorers seeking gold and the French a fur trade. The Bernard De La Harpe expedition of 1721 is prob-

ably responsible for so many of the streams and some of the towns having French names.

In 1802 before Napoleon Bonaparte compelled the Kingdom of Spain to return the Province of Louisiana to France (and before the Thomas Jefferson administration acquired the Province in 1804) the first white settlement was made in the Province of Louisiana which comprises Oklahoma. This was a trade post which was established by the Chouteau brothers (Frenchmen) of St. Louis. It was located on the east bank of Grand River in what is now Mayes County upon the site of the present Town of Salina.

In 1820 the first mission in Oklahoma for the purpose of educating the Indians and converting them to the Christian religion was established near the mouth of Chouteau Creek which is in Mayes County. This was some eighteen years before the Cherokees were transferred to this part of the country. At that time the principal inhabitants were the Osage Indians.

Grand Saline (or what is now known as the old Salt wells), is located in Mayes County and is only one of the many historical spots of the county. Here is where salt was manufactured and sold to the Indians at fifty cents a bushel. Ox teams came from hundreds of miles and salt was hauled away by the wagon loads. The huge salt kettles used, came from Pittsburg, Pennsylvania, and were transported down the Ohio and Mississippi rivers and up the Arkansas and Grand rivers to a ford near where the Salina bridge, east of Pryor, is now located.

The country now comprising Mayes County furnished no less than four Chiefs for the Cherokees and many of the Councilmen and Senators.

AGRICULTURE

A ride over the county will reveal to the observer the same reliable crops of corn, wheat, oats, hay, cotton, alfalfa and potatoes thriving here much the same as in older grain and livestock states. The visitor will see the rolling prairies, the rich creek and river bottoms and the timbered uplands. If it be the late summer or autumn, he will see wheat or oats stacked or straw piles in every direction. He will pass loaded wagons hauling the grain from steam thresher to elevator. Other teams are hauling baled hay, of which thousands of tons are shipped each year. He may be sur-

PRYOR AND THE GRAIN BELT

IN THE GRAIN BELT OF MAYES COUNTY, 1917

prised to learn that wheat makes from ten to forty bushels; oats thirty to eighty bushels; corn twenty to seventy bushels, per acre; alfalfa from three to five cuttings a season. He will pass fields of cowpeas, kafir, milo, feterita, peanuts, and other crops that may be new to him. An occasional field of cotton will be seen. Mayes County is on the northern limit of the cotton belt, and a few thousand acres of this valuable crop are grown here.

Our visitor will learn that the winters are so mild and open that plows run every month, that oats are seeded in February, corn is planted in March, wheat is harvested in the first half of June, potatoes are maturing by June 10th, and a second crop can be grown from the culls of the first. Pastures are green nine months of the year and stock feeds on the tall prairie grass throughout the winters.

FROM UNITED STATES DEPARTMENT

The following statements about Eastern Oklahoma are quoted from the United States Department of Agriculture, Weather Bureau, Section forty. Mayes County is a part of this section. "Nowhere else can be found more nutritious grasses and abundant water, and Eastern Oklahoma ranks high in the production of live stock. Eastern Oklahoma is agreeable for residence and exceptionally favorable for agricultural pursuits, so far as its climatic features are concerned. The harvesting of corn and cotton extends well into the winter months, and the soil is prepared in January, February and March for spring planting, with but little interruption on account of inclement weather. Stock needs little or no protection and the farmer may pursue his vocation throughout practically the entire year. The summers are long, with occasional periods of very high day temperatures; abnormally high temperatures are almost invariably coincident with a dry atmosphere so that the heat is rarely oppressive. The nights are usually agreeably cool during the entire summer. Eastern Oklahoma is a distinctly agricultural country. The entire section is well watered; the rainfall is well distributed through the growing season and is ample for growing and maturing any of the staple crops; the annual average is between forty and forty-five inches in the southern and eastern counties. Three-fourths of the annual precipitation occurs during the growing season, March 1, to October 31.

The rains are general and abundant during the spring and early summer. Damaging floods occasionally occur in May and the early part of June, but seldom at other seasons of the year. July and August rains are local; showers and thunder-storms usually occur at opportune intervals during these months and are ample for maturing staple crops. Good rains set in again in September and October, putting the soil in good condition for seeding and germinating wheat."

The above quotations are a concise, authoritative statement about climate and rainfall in the section of which Mayes County is a part.

SCHOOLS AND ROADS

Every few miles in this drive one will pass an up-to-date schoolhouse. Every child on a Mayes County farm lives within walking distance of a rural school, and within driving distance of a village graded school or a good town high school. Thus, even in this new country, the people have already provided just as ample educational facilities as are enjoyed in any state.

Another surprise in the drive will be the excellent character of roads and bridges. It must be remembered that before Statehood there were only trails, through the prairies and hills, with practically no bridges. Now the country is fenced, with roads on section lines. Good bridges and culverts are built. Often these are steel or concrete. Road drags are seen and the good effects of their use are evident. The Jefferson Highway passes through Mayes County from north to south, traveling through all of the towns located on the M. K. & T. Railway. The King of Trails follows almost the same route as the Jefferson Highway. The White River Trail passes through the county, east and west.

Mayes County not only has an abundant supply of gravel for the roads of the county but it is shipped out of the county almost daily by the train loads going to other counties of the state to help make up the Federal and state roads.

STREAMS AND RECREATION

Numerous streams will be crossed in a drive over the county, because the county is well watered. Grand River, a Government stream (called the Neosho River in Kansas), is the principal

NEW HIGH SCHOOL BUILDING, PRYOR

PUBLIC SCHOOLS, PRYOR

stream, enters at the northeast corner of the county and winds its tortuous route to the southwest, passing out near the middle of the south line. Several creeks traverse the county, generally in a southeasterly direction, and flow into Grand River. Chief of them is Pryor Creek, which enters near the northwest corner and flows south and east, entering Grand River a few miles north of the county line. The streams have rather high, timber-covered banks, clear water, and are well stocked with fish. They provide ideal spots for fishing, bathing, picnics and camping. The eastern part of Mayes County and especially the northeastern part of the county, where the famous Spavinaw Creek flows into Grand River, is fast becoming known as the playground of Northeastern Oklahoma. Many clubs are located along the streams of Mayes County and thousands of tourists visit the county annually seeking good water, rest and recreation. The Morgan Inn, owned by Gideon Morgan, a prominent citizen of the Cherokee Nation, is located on the banks of Grand River just north of Salina. Just south of Salina is located a bathhouse equipped for radium water baths. There is also located in connection with the bath house a large hotel and private cottages at the disposal of tourists and persons seeking health and rest. It might be mentioned here that Tulsa, Okla., recently voted $7,000,000 bonds for the purpose of piping Spavinaw Creek water more than sixty miles to Tulsa.

RAILROADS AND SURFACE SURVEY

The country to the east of Grand River comprises about one-third of the county. Much of it is rough. The rather narrow valleys are very fertile and will grow all kinds of crops. The hills are covered with timber. There are several small fertile prairies. This region is adapted to dairying, livestock and fruit. The K. O. & G. R. R., traverses it, following the east side of Grand River.

The country to the extreme northwest and west, where many small creeks have their source, is also hilly. All the central part of the county, comprising about half of the area, is a rolling prairie, interspersed with streams and stretches of timber. From the hills on either side one can see a beautiful panorama of cultivated fields, meadows, pastures, farm houses, villages and towns, extending thirty miles north and south through the county, and from 10 to 20 miles in width.

Through the center of this valley stretches the main line of the M., K. & T. Railroad from St. Louis and Kansas City to Dallas, Fort Worth and Galveston. This road provides rapid service for both passengers and freight to and from the best markets between the Mississippi and the Gulf. Supper may be eaten at home in Mayes County and breakfast the next morning in either Kansas City or St. Louis. Livestock loaded in the afternoon is in Kansas City for the early market next morning. On this road are four towns in Mayes County: Adair, Pryor, Chouteau, and Mazie.

According to the Government geological survey, Pryor, the county seat, is 631 feet above the sea level; this is about an average for the county, excepting in the extreme hilly portions.

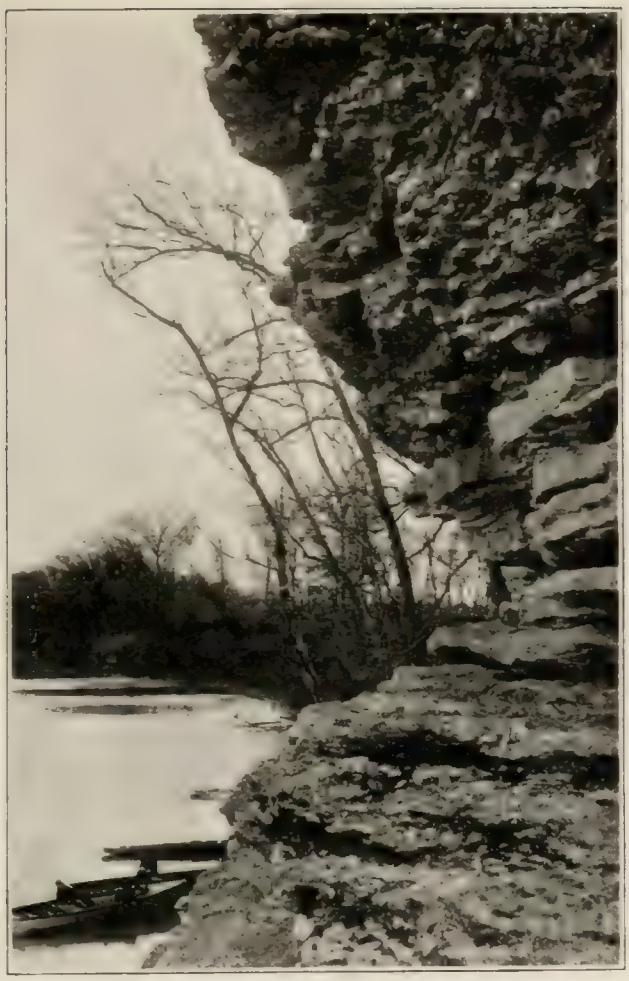
Mayes County is twenty-four miles wide east and west and thirty-six miles north and south. It comprises about one-ninth of the Cherokee Nation and is situated in the central part of the Nation.

LIVESTOCK

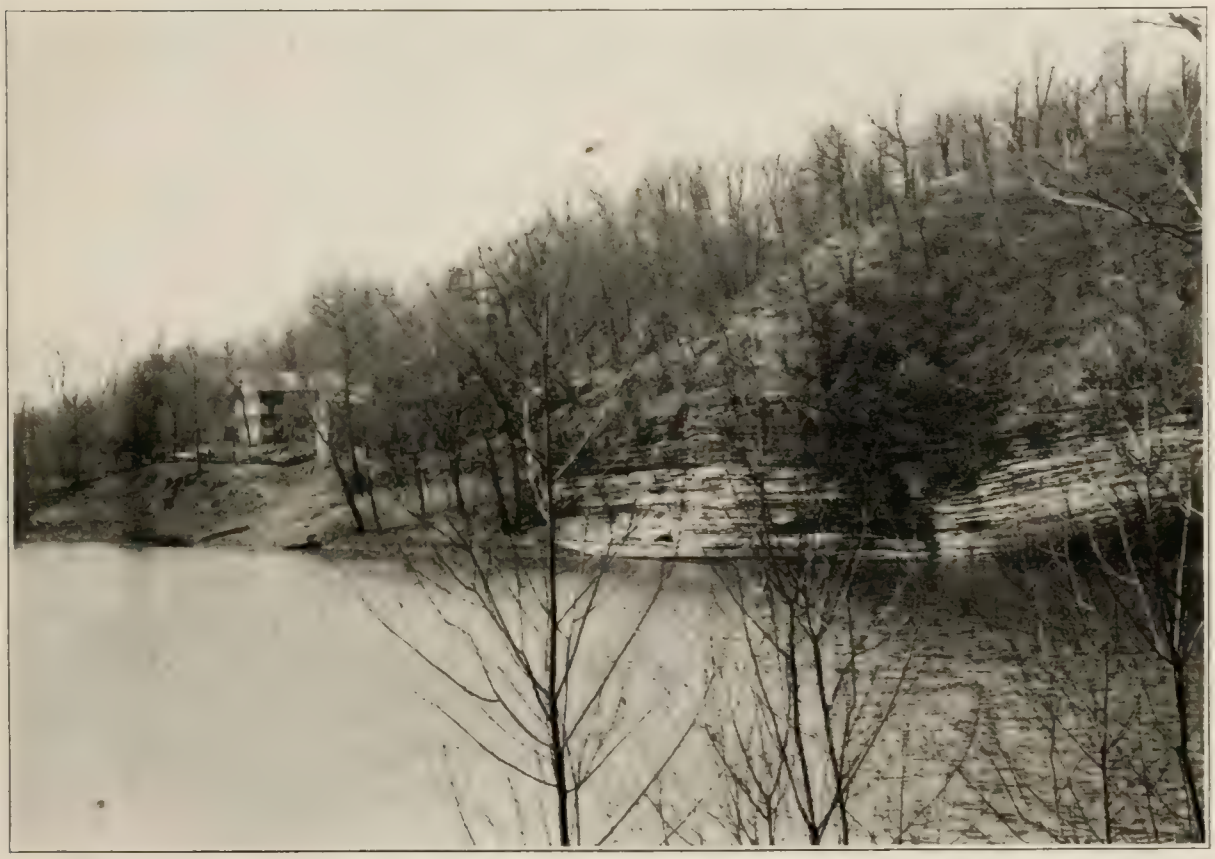
Considerable livestock will be seen in a drive over the county, but not nearly as much as the county might support. A good many cattle and hogs are shipped, in fact, practically all of the corn raised here is fed. Mayes County is well adapted to livestock growing and feeding. Winters are so mild that an open shed is all the shelter needed; summer pastures are cheap, only 40 cents to $1 per acre a year; a great variety of feed grows here, including cotton-seed, alfalfa, kafir, cowpeas and corn.

While dairying is yet in its infancy in Mayes County, one will see from the tons of butter that is shipped from the Pryor Creamery to all parts of the United States, that Mayes County is an exceptionally good county for profitable dairying.

Some of the very best blooded stock in the state will be found in Mayes County, especially in the breeds of Jersey, Holstein, Shorthorn and Hereford cattle. The poultry industry in Mayes County is a real asset. A poultry show is held annually in the county seat. The Mayes County Free Fair has grown to be quite an institution, and is soon to be permanently housed on not less than forty acres of ground adjoining the county seat, and financed by the county. The Mayes County Breeders' Association is a real live organization and holds banquets frequently in the county seat,



SCENE ALONG GRAND RIVER NEAR PRYOR



SCENE ALONG GRAND RIVER NEAR PRYOR

where the live stock situation is discussed by state and county breeders and men in agricultural, state and Federal work.

TRUCK AND FRUIT

All kinds of garden products thrive. Two crops of potatoes a year can be grown—the first ready to market by the middle of June. Cabbage can be set out in January and February. Lettuce and radishes can be planted about the same time. Fall gardens provide an abundance of vegetables for the table until November.

There are not yet enough bearing orchards to supply the local demands for fruit. Several old orchards were set out before statehood and many later planted home orchards which are not yet bearing. Very little care has been given the trees as a rule, yet in spite of neglect very fine peaches, apples, pears and apricots are grown. Berries of all kinds do well; there is a good local market for fruit and truck, and fast freight and express trains carry these products in short time to the markets of the north. Persons growing strawberries near Pryor during the past year averaged more than three hundred dollars per acre. The largest number of acres by any one man was about three acres and brought a return of more than one thousand dollars for the three acres. The acreage for 1922 is probably double that of 1921.

WATER SUPPLY

One important question in selecting a home is the water supply. In Mayes County, water suitable for household purposes and livestock is found in abundance at from 20 to 50 feet. The numerous streams supply stock water to many pastures. At a depth of 450 to 650 feet flowing artesian water is secured throughout the county.

FUEL

Mayes County is peculiarly made up or constructed in that in each locality of the county, either wood or coal is available and in many localities both coal and wood are to be had, as there are some very fine veins of coal in the county. The towns of Pryor and Chouteau use natural gas almost exclusively.

THE PEOPLE AND LAND TITLES

The people of Mayes County are going ahead and each year finds the county as a whole more determined to build homes and farms.

According to the United States Government census of 1920 the total illiterate population of Mayes County is but 3.6 per cent out of the total population of 16,894.

There are not many negroes in Mayes County and very few in any of the towns in the county.

Titles to the land in Mayes County are not at all difficult to understand. The land was patented to the Cherokees as a nation by treaty in 1838. The allotment act by treaty was approved by Congress July 1, 1902, and approved by the Cherokee tribe of Indians, August 7, 1902. All necessary records are available to show the age and degree of blood of allottees, and if land is restricted or unrestricted.

All of the leading loan companies of the Southwest are loaning money on Mayes County land.

FINANCE AND PUBLIC

The assessed valuation of Mayes County for 1921 was $13,614,757. This, of course, does not include thousands of homesteads that are still owned by the Cherokees, that are not taxable and does not include thousands of acres of land held by Cherokees of three-fourths blood and over. Much of this land, however, is placed on the tax-rolls annually on account of sales of homestead and removal of restrictions by application of the allottee through the Interior department.

The average levy for county purposes since statehood will average about six mills. Of the sixty-six school districts in the county, the average levy for all school purposes was less than nine mills in 1921. The average levy in townships for road purposes for 1921 was three mills. Add one mill for state purposes and you will get a reasonable average for the total levy for all purposes in the county.

Out of the above levies, Mayes County has built school buildings in sixty-six districts and one of the best road systems in the state, which includes the bridging of many streams and a few miles of

gravel road. A farm for the poor of the county is owned by the county and joins the county seat. The county maintains a fair which is held annually in the county seat. A county engineer is on regular duty as well as a county agent and a woman's home demonstrator. The Federal Government aids the county in the financing of the last two named officers.

A new $140,000 court house is now being completed at Pryor and is fully paid for. Mayes County has no bonded indebtedness.

PRYOR, COUNTY SEAT

Pryor (officially Pryor Creek), Mayes County, Okla., is beautifully situated on the undulating prairie which dips gradually toward the west to the limpid stream from which the town derives its name. A prettier townsite could not have been found in all this broad and expansive land. The streets are almost level, just sloping enough to afford natural drainage. Pryor is the county seat of Mayes County, and has a population of more than two thousand. It is on the main line of the Missouri, Kansas and Texas Railway, 209 miles north of Denison, Texas, seventy-seven miles south of Parsons, Kan., and forty miles north of Muskogee. It is surrounded by a vast area of fine farming lands, and draws trade from a large scope of fertile country. It is admirably located and has a large field in which to expand.

HISTORY

The original Indian name of Pryor Creek was Coo-y-yah, meaning "Huckleberry" in the Cherokee language. This name, however, proved too difficult for English speaking people, and after a few years' wrestling with the varied spellings and the harrowing pronunciations, Coo-y-yah was changed to Pryor Creek.

The M., K. & T. Railroad was located through the Indian Territory in 1870. The road was built through what is now Mayes County, in 1871. The first merchant to have a general store in Pryor was W. H. Mayes (Old Tip) as far back as 1875. Mayes was succeeded by John H. Harris, W. T. Whitaker, J. C. Hogan, W. A. Graham and others. The post office was established early in the year 1882. W. T. Whitaker, aided by others, built the first school and church building in 1888. The first telegraph office was opened in Pryor in the year 1889. The first bank was organized

in 1900. W. A. Graham was the principal organizer and is still at the head of the institution—the First National Bank of Pryor Creek. The Citizens Bank & Trust Company was organized a few years later, and in 1908 the First State Bank, now the American National Bank, was organized.

Pryor Creek was first surveyed and platted under the Cherokee laws about the year 1888 by I. P. Bledsoe. The United States Government survey followed in September, 1902.

GOVERNMENT

Under the Cherokee government, Pryor was located in what was known as the Cooweescoowe district, later in 1902 when it was made a court town by the Federal Government and the first courthouse was built, it was placed in the Fifth recording district of the Northern Judicial District of Indian Territory. The bill incorporating the town of Pryor Creek under the Cherokee law was introduced in the Cherokee Council house about the year 1889 by Councilman D. W. Vann, and in the Senate by Senator Samuel H. Mayes. October 13, 1898, the town was incorporated under the laws of Arkansas governing cities and towns.

Lee Mills was the first mayor under the Cherokee laws. The first election under the Arkansas law was held December 29, 1898. David I. Elliott was elected mayor, serving two terms. David B. Beard was elected mayor at April election in 1900, and was re-elected the following year. In April, 1902, Dr. J. E. Bristow was elected mayor, but resigned November 5, 1902, and J. C. McConnell was elected by the council to fill the unexpired term. In April, 1903, Prof. Frank R. Morgan was elected mayor. Mr. Morgan served many years and was succeeded by J. Z. Hogan. W. A. Graham was elected in 1913 and served until 1917. R. A. Wilkerson served during the years 1917 and 1918 and was succeeded by C. L. Samuel, who retired in 1921. Thos. J. Harrison is the present mayor. Pryor is under the aldermanic form of government and the city affairs are run as a strictly business proposition. The city owns its own water plant and enjoys the very best and purest water in the state, having recently installed a settling basin at their plant on Grand River which completes the water system of the city to the extent that there is plenty of water for everyone for all purposes, at a very reasonable cost.

A BUSY DAY, PRYOR

MAYES COUNTY COURTHOUSE, PRYOR

Pryor's water system cost $200,000 and while part of the system is ten years old, the plant no doubt is worth today as much as $300,000. The bonded indebtedness has been reduced to $163,000. The levy to cover sinking fund interests and payment and the general government of the city for last year total but 18 mills based on an assessed valuation of only $1,266,871. With an increase in building and business that Pryor is sure to have, increasing the value of the assessed valuation, the tax levy is sure to be lower.

The municipal affairs are run on a strictly cash basis, and there is not a single outstanding warrant against the general fund of the city.

The new $140,000 courthouse is just about completed. It is conveniently located for beauty and efficiency. Pryor has two nice brick ward school buildings and a new $72,000 brick high school building and one of the accredited high schools of the state. The average attendance the past year for the ward and high school, is more than seven hundred. The new high school building is equipped with one of the best auditoriums and gymnasiums in the state.

No less than five churches house the church workers and help Pryor to lead in Sunday school work. The Christian Church, the Baptist Church and the Methodist Episcopal Church, South, have their substantial brick buildings which are fully paid for. Pryor has several miles of concrete sidewalk and expects to build many more blocks this year. The main street running through the town, east and west, is graveled almost a mile. There are no special taxes of any kind in the town.

COMMERCE

Pryor has the usual number of banks and business houses that are found in the average town, and the Pryor Creamery does a thriving business for the country surrounding Pryor is a dairy country.

The Pryor Ice and Light Company is a $50,000 corporation. The M. C. Hadley Steam Laundry is one of the best in the state and would be a credit to any town. Three grain elevators and a flour mill handle the grain for the Pryor trade territory. Three well stocked lumber yards supply the builders of the town and

surrounding country. Pryor has a cotton gin, a bottling works and an ice cream manufacturing plant. Although on the northern edge of the cotton belt, there are many other cotton gins in the county; more than eight hundred bales of cotton were baled at Pryor last year. One firm in Pryor ships more than four hundred cars of hay annually. The Pryor Creamery shipped out of Pryor 140,000 pounds of butter last year. The poultry and egg industry runs into the thousands of dollars each month. More than five hundred cars of livestock and grain are shipped from Pryor each year. One man ships 500,000 sweet potato plants annually and no less than a quarter million of other plants. Another resident living in the outer edge of town, sells more than two thousand pounds of honey annually, and another Pryor man got a return of just a little less than five hundred dollars per acre from strawberries. Sweet potatoes are sold here in large quantities. Some of these items may not sound so big, but these are mentioned to show the possibilities of Pryor and surrounding country.

Pryor is well equipped to take care of the tourists, by having clean, up-to-date hotels, plenty of garages with first class mechanics and equipment and a brick filling station, modern in every respect. A camp ground for the automobile tourists is conveniently located to the business section of the town.

A large radium water bathing pool, well equipped for all bathers, is located on a site adjoining the town and furnishes much recreation during the summer months. The many streams surrounding Pryor furnish sport for the man with the reel. Pryor has a radio station.

COMMERCIAL CLUB

Pryor has a Commercial Club with a paid membership of about one hundred and meets regularly each Thursday at the noon hour.

OKLAHOMA STATE HOME

The Oklahoma State Home for the orphan children of the state is located on a 550 acre tract of land adjoining the town of Pryor Creek. This is one of the state's best institutions and represents an investment of $350,000. The institution is complete in every respect. Besides the administration building, there are eight brick

APIARY OF J. T. HAIRSTON, SALINA

cottages which house from 25 to 35 children each, a well equipped hospital, being a two-story brick building, a commissary, garage, laundry, power plant and a nice new two-story brick school building which is so situated that it is completely surrounded by the other buildings heretofore mentioned. The home has a large farm in connection with the institution and it is a great help to the state in feeding the 250 to 300 children that are cared for the year around. There is a fine Holstein herd of about one hundred cows on the farm and one of the most complete dairy barns in the state. The barn is a two-story brick building 36 by 120 feet, with all the modern conveniences for sanitation. There were more than sixteen thousand pounds of hog meat cured for the use of the home last year, besides which, there was a sale of thousands of pounds on foot.

About one hundred and fifty children are placed in private homes annually through this institution.

Neal B. Gardner is the present superintendent and has held this position since August 1, 1915. Mr. Gardner and his good wife take great interest in the institution and the home shows the effects of their tireless effort.

Until the state took this institution over in 1908, it was run as a private institution and known as the W. T. Whitaker Orphan Home. The home was founded by W. T. Whitaker, a Cherokee Indian, in 1897, it being Mr. Whitaker's desire to build a home for the white orphan children of the Indian Territory. It will be remembered that at that time and up until 1904 the Cherokees had a fine orphan home for Cherokee orphans only, just east of Pryor, on Grand River. The first building or what is now the administration building (a three-story stone, built in 1907), handled most of the needs until statehood. It was located on forty acres of land, being a part of the Whitaker allotment. When the Cherokee Orphan Home burned, Mr. Whitaker then opened the doors of his home for the white orphan children, to the homeless Cherokees of the territory. Although crowded conditions prevailed, the children, with Federal aid, were cared for until statehood came.

Mr. Whitaker is still a resident of Pryor and is appreciated for his services rendered to the orphans of Eastern Oklahoma.

The other towns of Mayes County are Choteau and Adair, on the M., K. & T. Railroad, and Murphy, Locust Grove, Salina and Strang, on the K. O. & G. Railroad.

Choteau is a town of 700 inhabitants located in the southern part of Mayes County, ten miles south of Pryor. It is located in a prairie section and is surrounded by a good farming community. While all the ordinary crops of corn, cotton, wheat, oats, etc., are produced in abundance, this section of the state is specially noted for its superior quality of prairie hay, great quantities of which are shipped to northern markets. Many owners of horses prefer this hay to the timothy of the country further north. Choteau has the usual number of stores and shops found in any town of its size and is a good trading point. It also has several churches and a good public school in which seven teachers are employed.

Adair is located in the northern part of Mayes County, ten miles north of Pryor, and resembles Choteau in its makeup and surroundings, but is not quite as large. It, too, employes seven public school teachers and maintains a good school system.

Salina is a town of 500 people, located on the K. O. & G. Railroad, on the banks of the Grand River, twelve miles east of Pryor. Although a comparatively new town, it is located in an old settled and well known section of the old Cherokee Nation. It adjoins the site of the old Cherokee Orphan Asylum which existed many years before the railroad penetrated that section of the country. A new railroad is now being projected from near Salina toward the timbered portion of Delaware County. Salina takes its name from the salt springs which were famous in the olden times. The fertile valley of the Grand River contains numerous good farms which assist in making Salina a good trading point.

Locust Grove is a town of about seven hundred inhabitants located on the railroad ten miles south of Salina. It, too, derives some trade from the nearby Grand River Valley farms, and some of its surrounding uplands are good agricultural lands. Locust Grove maintains a first rate public school of eight teachers and has a number of good stores and churches.

Strang and Pensacola are prosperous little towns located on the K. O. & G. Railroad, in the northern part of Mayes County.

CHEROKEE ORPHAN ASYLUM

In 1873, after the Cherokee orphans had been cared for at Tahlequah for several years, the Cherokee Nation purchased the home and farm of Louis Ross, a Cherokee citizen located in the

eastern part of Mayes County, adjoining the present town of Salina, and converted it into a home for Cherokee orphans. In 1875, the large Ross mansion was enlarged and the school was prepared to care for one hundred or more orphans. This home was admirably adapted for the purpose to which it was dedicated. The farm consisted of about three hundred acres of land, approximately one-half of which was fertile bottom land, the other half consists of timber and pasture land. Horses, cattle and hogs were raised, and the bottom land produced abundant crops of corn, oats and wheat. The timber land furnished fuel for the home, and fencing and lumber for the improvement of the farm. Everlasting springs of pure water bubbled out of the nearby hillside, furnishing an abundant supply of pure water for the home and livestock.

For nearly a third of a century the Cherokees cheerfully supported this institution entirely from their own tribal funds, expending annually about twelve thousand five hundred dollars for the support of about one hundred and fifty of their orphan boys and girls, but on the 17th day of November, 1903, the entire home, including the original building and the three wings which had been added was destroyed by fire. The fire occurred at noon, causing no loss of life but consuming almost the entire contents of the building. About fifty of the orphans were transferred to the Whitaker Home at Pryor Creek and the others were cared for at Tahlequah. The orphan home, or asylum, as it was called, was never rebuilt, and a mound of old brick is all that is left to remind the Cherokees of their historic home which for thirty years was one of the institutions in which they manifested special pride.

CHAPTER XXXIV

ROGERS COUNTY

AREA—FIRST BANK ORGANIZED—CLAREMORE MOUND—OIL—NATURAL GAS—FINANCIAL CONDITION OF COUNTY—CLAREMORE—EARLY SETTLERS—CITY SCHOOLS—CHURCHES—CLAREMORE'S RADIUM WELLS—THE OKLAHOMA MILITARY ACADEMY—FINANCES OF THE CITY — BANKS — NEWSPAPERS — CHELSEA — FOYIL—TALALA AND OTHER TOWNS.

Rogers County, formerly an important section of the northwestern part of the Cherokee Nation, contains about seven hundred square miles of land, nearly all of which is well adapted to raising all of the staple crops of that latitude. The Cherokees were quick to recognize the excellent natural advantages of that vicinity and for nearly a century some of the leading Cherokee families have resided there. The white farmer and prospective investor, in search of a good agricultural location, eagerly watched and waited for the time to arrive when he could legally purchase Indian lands. Some white farmers secured leases on portions of the farm land and raised crops thereon for many years before the Indians were permitted to alienate it. As a consequence, some of the oldest and best farms in Oklahoma are found within the present limits of Rogers County. The county was named after one of the prominent Cherokee families, Clem V. Rogers being one of its pioneers. He was born in the Cherokee Nation in 1839, shortly after the Indians came to Indian Territory, and as the Civil war began, just as he had reached manhood, he cast his fortune with the South and became a captain in General Stand Watie's regiment.

Toward the close of the war, he was compelled to flee to Texas, in company with a good many of his comrades. After peace was declared, he returned to the Cherokee Nation penniless, but still retaining his courageous spirit. He worked for wages for awhile,

and as he began to regain his lost fortune, he embarked in business for himself and accumulated a comfortable fortune. He held numerous positions of honor and trust in the Cherokee Nation, engaged extensively in farming and in 1896 he assisted in organizing the First National Bank of Claremore, it being the first National bank to be established within the limits of the present Rogers County.

CLAREMORE MOUND

The Cherokees point with pride to a rugged, rocky hill near Claremore, county seat of Rogers County, called Claremore Mound, as the scene of a victory won by them in a battle with the Osages. The Battle of Claremore Mound was fought in the Summer of 1828, before many Cherokees had settled in Indian Territory, but they were westward bound and many of them were temporarily camped in Arkansas. The Osages were a roving tribe of half-civilized Indians who claimed all of Eastern Indian Territory and a portion of what is now Western Arkansas, as their hunting grounds and they resented the approach of the Cherokees. Upon several occasions the Cherokees missed some of their horses and cattle and finally traced them to the Osage camps. The Cherokees, becoming tired of the spoliations charged to the Osages, went on the warpath and encountered their enemy at Claremore Mound. The Osages had the advantage of location, using the mound as a fortress, but the Cherokees had guns while the Osage warriors had only their old-time bows and arrows as weapons. The Osages were defeated, with a loss of about two hundred of their number in killed and wounded. Thomas Chisolm, grandfather of Senator Robert L. Owen, was among the leaders of the Cherokees in this battle.

Several other battles occurred between these two tribes, in each of which the Cherokees were the victors, but a treaty of peace was finally agreed upon at Fort Smith, Arkansas.

It is estimated that about four-fifths of the land in this county is well adapted to the production of all the staple crops of the temperate zone, although much of it is still virgin soil, the native grass being always a sure and profitable crop. Corn, oats, wheat, barley, alfalfa and prairie hay are produced abundantly throughout the county, while the bottom land produces good crops of

FACULTY OF OKLAHOMA MILITARY ACADEMY,
CLAREMORE MOUND, CLAREMORE

VIEW OF BUILDINGS AND GROUNDS, OKLAHOMA MILITARY
ACADEMY, CLAREMORE

cotton and potatoes. Livestock raising is also a favorite industry with the Rogers County farmer, and herds of well-bred cattle, hogs and horses are quite numerous. The mild winters enable the farmers to keep their cattle on pasture during almost the entire year. Some special attention is being given to raising good poultry, fruit and berries, but the favorable surroundings justify a much more intensive and intelligent development of these industries than they have heretofore received.

OIL

From year to year for many years, the farmers of this section were content to plod along, satisfied with the returns received from the cultivation of the soil, never dreaming, perhaps, that vast fortunes in oil and natural gas lay hidden underneath the soil. Early in 1906 oil was discovered four miles west of Claremore, at a depth of 700 feet, and since that time many profitable wells have been drilled.

The earliest discovery of oil in Rogers County, however, was made about thirty years ago, although the development was slow for ten or more years thereafter. Oil is found in numerous places in this county at a depth of not more than five hundred feet, and some of the wells drilled fifteen or twenty years ago are still producing oil. This section of the state is what oil men call a "shallow" field, for the reason that oil is found much nearer the surface than in most other localities. The production of oil in this county is not limited to any one neighborhood, for profitable wells have been drilled in the extreme northern part of the county, around Chelsea, in the central part of the county around Claremore and in the extreme southern part around Inola. In connection with this development of oil quite a profitable business has developed within the past few years in the matter of manufacturing casing-head gasoline from the gas which is given off from the oil. This is an additional source of revenue, as formerly this gas was allowed to escape through the atmosphere.

NATURAL GAS

Rogers County is especially favored with an almost inexhaustible supply of natural gas at depths of from 650 to 1,250 feet, and the citizens of the county are especially fortunate in that

none of its supply is connected with any of the interstate great pipe lines which would take it to the great cities of nearby states. This assures an ample supply for domestic and industrial purposes for this county for years in the future, and at rates that are lower than other parts of the Mid-Continent field.

There are so far developed three distinct gas pools, one covering several thousand acres south and east of Talala, in the Big Bend of the Verdigris River. This field has been for ten years supplying Chelsea, Oolagah and the large shallow oil fields of the north part of the county, and is connected by a network of pipe lines carrying gas to all points where there is a demand in the north part of the county, and to the gasoline plants of Nowata County.

The greatest gas field yet discovered in the county is that south and west of Foyil, seven miles north and west of Claremore, where numerous wells have been brought in, each with a daily volume of from 7,000,000 to 16,000,000 cubic feet. This field is being enlarged each month by addition of new wells, which have already proven the gas pool to embrace several thousand acres.

Several miles west and south of this field a new pool has been recently discovered which is deeper and of greater rock pressure than any of the others in the county, and which gives every assurance of being of longer life, as the sand is found in the upper strata of the Mississippi lime.

In addition to the above there is a good gas field west of Claremore, also north and east of Claremore, which has for several years been supplying the domestic consumption of the Cityof Claremore.

Claremore, Chelsea, Foyil and Oolagah have for years been amply supplied by local gas only, with every assurance of an ample supply for years to come, and in addition all the heat and power of the several cities of the county has been supplied with local gas as well as a large brick plant at Claremore, and another at Chelsea.

FINANCIAL CONDITION OF ROGERS COUNTY

Rogers County has an area of about seven hundred and twenty-eight square miles. The total assessed valuation for the fiscal year ending July 1, 1920, was $16,733,605, this assessed valuation ranging from $10 per acre and up, from the pasture lands to the best farming lands.

CITY HALL PARK, CLAREMORE

MISSOURI PACIFIC DEPOT, CLAREMORE

It has forty-one school districts, all of which have good school buildings, using from one to twenty-five teachers. They are all in splendid condition financially, all of their bonds and coupons being met when due. Most all maintain a nine-months' school.

It has about one hundred and twenty-five miles of state roads and most of the section lines are open and passable to the public.

The county received for the fiscal year ending July 1, 1920, from ad valorem levies $539,406.20 and from miscellaneous sources $154,168.47, making a grand total of $693,574.67.

CLAREMORE

Claremore, the county seat and principal city of Rogers County, is located in the south central part of the county at the junction of the Missouri Pacific (Iron Mountain) with the St. Louis and San Francisco Railroad. It was named after Claremore, chief of the Osage Indians, who, with about four hundred of his band, was killed in the battle with the Cherokees.

The town was first started about two and one-half miles from the present location, and John Bullette, A. H. Norwood and John Cobb were among the pioneer merchants. Norwood is said to have been the first postmaster. About 1880 the town was moved to its present location on the railroad. Several small stores sprang up quickly in the new town, but the Foley building, erected by George Eaton, was the first substantial brick store building erected.

The first hotel established in the new town was owned and managed by a lady, Mrs. Creighton. At that time a Cherokee law was in force which provided that for each and every town along the line of any railroad passing through the Cherokee Nation, there should be set aside one square mile of land, to be surveyed and sold as town lots. Under this act the town was platted and improvements begun, but as at that time the Cherokee Council could not give but a possessory right to real estate, complete title to lots was not secured, as in many other towns, until the enactment of the Curtis Act in 1898.

The Claremore Progress is the oldest newspaper in Rogers County, it having been established, as a weekly periodical, by Joseph Kline, as early as 1883. Kline soon wearied of the monotony of the country editor's chair, sold out his paper and joined the cowboys of Buffalo Bill's Wild West Show, which made a

great hit wherever it went throughout the United States and Europe. John Bullette, one of the oldest pioneers of this section of the country, came down from his native home in Kansas, as a mere boy, fifty years ago, and endured the hardships and dangers of that time in order to get a start in the business world. He worked on the ranches for several years, and finally entered the employ of J. H. Bartles, the founder of Bartlesville, who, at that early date, owned one of the finest ranches on Caney River, and conducted a general store in connection with his ranch. Bullette made himself generally useful about the ranch and store, in the meantime, learning something about conducting a country store. Bartles took a fancy to the young man and with the former's assistance, Bullette branched out into business for himself in 1880 by starting a store at the original town of Claremore. Shortly afterward he moved his store to the new town on the railroad and continued to run it until 1887, when he sold out and accepted a position under Joel B. Mayes, then chief of the Cherokee Nation. A few years later he returned to Claremore, built one of the first modern homes erected in that city and devoted his time to farming and mining.

William H. Frye was one of the oldest natives of the Claremore neighborhood, he having been born there during the Civil war. He began clerking in one of the pioneer stores of Claremore as early as 1886, and a few years later his father bought the store and the father and son conducted it for several years. He was the last Cherokee elected as clerk of the Cooweescoowee district of the old Cherokee Nation.

Joseph M. LaHay, a bright young Cherokee lawyer who died several years ago in Muskogee, surrounded by many friends, was one of the first mayors of Claremore and was one of the last treasurers of the Cherokee Nation.

CITY SCHOOLS

Claremore has been remarkably successful in building up a first class public school system. With a small beginning twenty years ago, the school system has gradually grown and developed until it has reached a high standard of which any city might be proud.

MAY DAY, HIAWATHA SCHOOL, CLAREMORE

The city now has four ward schools and in 1920 a modern high school building was erected at a cost of $100,000. This building is provided with a large auditorium, a gymnasium, departments in manual training and domestic science, stenography, typewriting and commercial law. There are now about thirteen hundred pupils enrolled in the city school system and forty teachers are regularly employed.

CHURCHES

Claremore is well supplied with churches, nearly all of the leading denominations being well represented. The Presbyterians, Methodists, Christians and Baptists have good church buildings, the Baptists claiming one of the finest in the state, which was erected several years ago at a cost of $100,000. Each church maintains a Sunday School and several active church societies. About fourteen hundred pupils are enrolled in the Sunday schools and a healthy religious spirit is manifested throughout the city.

CLAREMORE'S RADIUM WELLS

Claremore has attained an enviable reputation as a health resort on account of the curative properties of the mineral water discovered there about twenty years ago.

In 1903, Mr. G. W. Eaton, assisted by a number of friends, drilled a well within the limits of the city, hoping to find oil or gas. At the depth of about eleven hundred feet they struck artesian water, and in going farther into the bowels of the earth they found two more veins, which, as the drill was withdrawn, began to overflow the surrounding surface with water that threw off odorous gas, and blackened any metal with which it came in contact. Samples of the water were submitted to eminent chemists who reported that it contained excellent curative properties, and this encouraging report prompted the drilling of other wells and the erection of hotels and bath houses. It has been clearly demonstrated that this water is specially beneficial in cases of rheumatism, eczema and other skin diseases. Scarcely a day passes that does not see men and women arrive at Claremore on crutches, nearly all of whom lay aside their crutches after a few weeks' bathing in these waters.

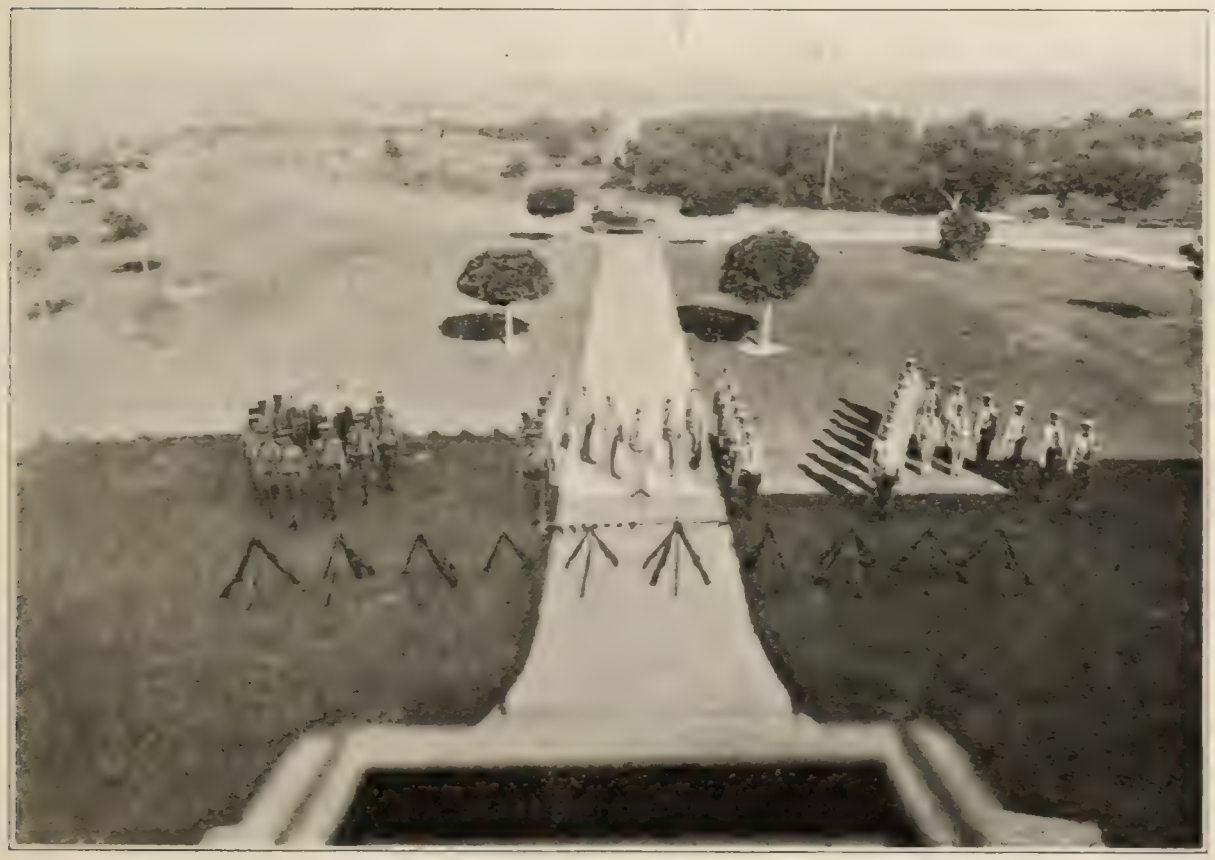
THE OKLAHOMA MILITARY ACADEMY

The Oklahoma Military Academy is one of the institutions of which the citizens of Claremore are justly proud. It was established in 1919 as a state school and receives support from the Federal Government. It is located in the western suburbs of Claremore, near the historic battleground of Claremore Mound.

Under the supervision of Col. S. M. Barrett, its president, it has made excellent progress and bids fair to become one of the leading educational institutions of the state. Colonel Barrett's wide acquaintance throughout the state and his standing among the educators have aided materially in giving the academy the prestige which it has so quickly acquired. About three hundred thousand dollars have already been expended in erecting a modern two-story academic building and barracks, the barracks being dedicated to the memory of Sergt. Maurice Meyers, a member of Company A, Three Hundred and Fifty-seventh Regiment, who was mortally wounded by German shrapnel in the St. Mihiel campaign on the 23d day of September, 1918. His death occurred on the following day, and he was buried in grave No. 290 of the American Cemetery, Sebastopol, Toul. This military academy supplanted the University Preparatory School, which had been established and maintained by the state at this place for several years following statehood.

Hikes and summer camps make a wholesome diversion in the round of drills and afford recreation as well from studies. A sense of public service is early developed in the cadets. At the time of the Peggs cyclone, Colonel Barrett with ten cadets, took two trucks loaded with tents, cots and provisions and established a relief camp in the center of the devastated town. The story of this trip and the aid and comfort given the storm victims is being handed down as one of the early traditions of the school. The first year the unit was established, the rifle team won first place in the junior gallery competition in the Eighth corps area. Major General Dickman sent a letter to each of the competing teams calling attention to the fact that the O. M. A. cadets were able to make this remarkable record in spite of the fact that their gallery practice material was not received until too late to permit them to fire the scores within the time limit. For this reason, although the scores were considerably higher than those made by the competing

MILITARY BAND, OKLAHOMA MILITARY ACADEMY, CLAREMORE



SCENE ADJOINING OKLAHOMA MILITARY ACADEMY, CLAREMORE
Note initials formed by student groups

teams, O. M. A. could not be given possession of the trophy. The achievement itself, however, and the writing of the letter of commendation by Major-General Dickman really mean more to the school than to have secured the trophy under conditions less disadvantageous.

While military training at this institution is a feature, the school further prepares its cadets for college and for life by giving both academic and vocational education. Year by year as the school grows older and its strength increases it is gaining a distinct reputation for its vocational instruction. Particularly is this true as it applies to the department of auto mechanics, a knowledge of which is a big item in war transportation.

A distinctive feature of the academy is that no tuition is charged a cadet. A boy may receive his academic training which gives him sixteen units of credit for admittance to the state university at Norman, at no greater expense than if he lived at home. Only the actual cost of the buying and preparation of the food is charged each month for board, the bills seldom going higher than $25 per month. Room rent in the barracks amounts to only $1.50 per month, including bedding, light and heat. A canteen on the campus furnishes the cadets opportunity to purchase incidentals and little luxuries.

Claremore has a modern city hall, a good public library, twelve hotels, three banks, four parks, a city electric plant, a city sewer system, two weekly newspapers, one daily paper, a good hospital, three grain elevators, three wholesale houses, numerous fraternal organizations and women's clubs, a telephone system, electric lights, natural gas in abundance and five miles of well paved streets.

The finances of the city are in the best condition, every warrant being worth par value and payable promptly upon presentation. It may be worthy of note that not one cent of interest has been paid on warrants on account of insufficient funds during the past four years.

The city of Claremore furnishes her citizens with the finest of drinking water through her municipal water plant, 98 per cent of the residents using the hydrant water for drinking purposes; the water having passed a thorough chemical and bacteriological examination of the State Health Department and was found to be among the best.

The municipal electric light plant furnishes electric current at all hours and for all purposes at rates cheaper than other Oklahoma cities, Claremore being known all over the state as having a low electric rate, and, further, is making money at that, there being a balance from the light and water department at the end of each fiscal year.

Claremore has concrete sidewalks, and is now completing several miles of asphaltic-concrete paved streets.

CHELSEA

Chelsea, one of the important towns of Rogers County, is located in the northeastern corner of the county on the St. Louis & San Francisco Railroad. It is surrounded by an excellent agricultural neighborhood and the farmers of that section of the state are rather above the average in intelligence and progressiveness. All the crops of the temperate zone are produced in abundance, corn, wheat, oats and hay, being the principal crops upon which the farmers depend. Quite a good deal of attention is given, also, to the livestock industry and gradual improvement is being made in the grade of animals raised. The long-horn Texas steer, which was the favorite in the days when the cowboy was the mogul of the prairie, has disappeared, and in his place the Durham or the Holstein breed is now quite common. The short, mild winters of this section are very favorable to the farmer, for the feeding season is short and his spring plowing can nearly always be done before spring really begins.

Chelsea was incorporated under the Cherokee law in 1889, and was re-surveyed and platted by the United States Townsite Commission in 1902, 452.59 acres being set aside and platted by the commission. Mr. M. W. Couch purchased the first lot which afterward became the site of the Bank of Chelsea. Andrew Norwood was the first mayor, he being elected while the town was still operating under Cherokee law.

A Cherokee built the first house in Chelsea which was used as a restaurant and a residence. A Delaware Indian by the name of Armstrong built and operated the first store. Among the first merchants were M. W. Couch, C. A. Davis, W. J. Strange, and G. W. Green. After the townsite commission had completed its work of platting the town in 1902, the sale of town lots proceeded

quite rapidly and permanent store buildings, residences, schools and churches soon sprang into existence.

Chelsea now has a population of 1,800 and has all the modern conveniences usually found in a town of its size. Its public school system consists of an excellent high school and graded schools in which eighteen teachers are regularly employed. The Methodists were the first denomination to establish a church, but the other denominations rapidly followed, until now, all the leading denominations are represented. For many years before it was possible to have any public schools the Presbyterians maintained a private school to which any child was admitted.

Thomas Wills, one of the pioneer cattlemen of this section, located in Chelsea about 1892 and built one of the first flour mills of Indian Territory at this place. This mill was a very helpful addition to the town and community as previous to its establishment all the flour consumed by the residents of Chelsea and the surrounding country was imported from Kansas.

Oil was discovered near Chelsea about 1891, that being one of the first productive locations in Indian Territory. What is known as the Chelsea-Alluwe field has profitably produced oil for many years, and the supply is not yet exhausted. The wells in this field have not produced oil in as large quantities as in other places, but the fact that the cost of drilling a well in this field is not very heavy, makes the business less hazardous and more profitable than in many other localities. Numerous oil wells in this section of the state have been steady producers at a depth of not more than five hundred feet.

Foyil: The town of Foyil, located ten miles northeast of Claremore, is one of the flourishing little towns of Rogers County. It was named after its founder, Mr. Alfred Foyil, who established a store at that point in 1889, and later built a hotel, a drugstore and a substantial residence. For quite a while the drugstore was used as a schoolhouse and a general meeting place for the residents of the neighborhood. He afterward built a depot for the Frisco railroad and a corn mill for the convenience of the farmers of that vicinity. Foyil has never developed into a city, but it is surrounded by a good farming community and a number of oil and natural gas wells have been developed around it. It maintains a good public school in which five teachers are employed and is a good trading point.

Talala, located in the northwestern part of Rogers County, is a village of 250 inhabitants which boasts of a number of oil and gas wells and is surrounded by a number of good farms. Talala maintains an excellent school for a town of its size, in which eleven teachers are regularly employed.

Catoosa, Inola, Bushyhead and Verdigris are Rogers County villages which share in the mineral products of that section of the state and maintain good public schools and churches.

CHAPTER XXXV

WASHINGTON COUNTY

LOCATION—RAILROADS—BANKS—BARTLESVILLE—CHURCHES—CLUBS—CHAMBER OF COMMERCE—SCHOOLS—FEDERAL EXPERIMENT STATION FOR OIL—MANUFACTURING AND OTHER INDUSTRIES—DEWEY—RAMONA—OTHER TOWNS.

Washington County is located in the northern part of Oklahoma, bordering on the State of Kansas and adjoining the rich Osage County on the east. It is forty miles in length, north and south, but only eleven miles wide. Although it is one of the smallest counties in the state, by reason of its fertile farm lands, its apparently unlimited supply of oil and natural gas, and its progressive citizenship, it has become one of the wealthiest and most important counties of Oklahoma. It is well watered by Caney Creek, quite an important stream, which flows southward through the entire length of the county.

Its soil is principally of the sandy loam character and produces excellent crops of corn, wheat, oats, fruits and vegetables. The rougher portions of land produce good grass and are well adapted to raising peaches, grapes and berries. This county is just a little too far north to be included in the cotton belt of the state, yet small fields of cotton are occasionally found in the valleys of Caney Creek and its tributaries. For several years past some of the most progressive farmers have become interested in raising thoroughbred horses, cattle and hogs, and herds of Shorthorn and Holstein cattle, Chester White, Duroc Jersey and Poland China hogs are becoming quite numerous. The bankers and business men of the county are aiding very materially in the matter of raising fine stock by furnishing to the farmer boys pure-bred pigs and calves to raise.

During the past year about five hundred cars of cattle, eighteen

cars of horses and thirty cars of hogs were shipped from the farms of this county to the northern markets. The fine pastures of this section of the state afford splendid opportunities for the dairyman and wool grower, but these branches of industry have not yet been developed to any great extent. As the importance and value of the dairy business becomes better understood, it will doubtless receive more attention. It is a deplorable fact that on many Oklahoma farms where cattle are raised in vast numbers, and where good pastures can be had for ten months of the year, scarcely enough milk and butter are produced for family consumption.

With the aid afforded by the Federal Government, Washington County is building a number of hard-surfaced roads, nearly half a million dollars having been expended on its public highways during the past year. The citizens realize that good roads will benefit the city man and the farmer, that they will have a tendency to keep the boys on the farm, and will bring the rural population and the city dweller into closer relationship.

Washington maintains a County Fair Association which is increasing in interest and importance as the years roll by. The Farmer Boys' clubs as well as the farmers vie with one another in their efforts to make fine exhibits of their products.

Although the general health conditions of Washington County are good, the citizens have planned to fight every appearance of disease by establishing a County Tuberculosis Association and maintaining a county dispensary at the county courthouse, in charge of a trained nurse who furnishes free advice or treatment to those in need of it. The homes of the poorer classes are visited, the schools are inspected and advice is given in the matter of the preservation of the health of the babies of the county.

Washington County is located in the extreme northwestern corner of the old Cherokee Nation and the old-time Cherokees can tell many thrilling stories of their squabbles with the half-civilized Osages adjoining them on the west. The Osages were of a roving disposition and in various ways they were inclined to annoy the Cherokee farmers. Several battles and skirmishes were fought between them but finally they agreed upon a treaty of peace which was observed by both tribes, barring a few raids of cattle-stealing charged against the roving Osages. Several years ago the county employed an active agricultural agent, a graduate of an agricultural college, who has been devoting his entire time to

BARTLESVILLE, 1895

JOHNSTONE PARK, BARTLESVILLE

working with and for the farmers and as a result of his work, improved methods of agriculture are already noticeable.

Washington County is well supplied with railroad facilities, the two great systems, the Missouri, Kansas & Texas, and the Atchison, Topeka and Sante Fe lines crossing the county and intersecting at Bartlesville, the county seat. The Sante Fe road traverses the entire length of the county from north to south, passing through the towns of Owen, Copan, Dewey, Bartlesville, Mataoka, Ochelata, Ramona and Vera, while the M. K. & T. road crosses the county in a northeasterly direction, passing through Bartlesville and Dewey.

During all the years when cattle were roaming the prairies by the thousands and later when the prairies were being cut up into farms no one, apparently dreamed that vast fortunes lay hidden underneath the surface in the form of oil and natural gas. The first oil well in this county, being one of the first to be drilled in the state of Oklahoma, was brought in during the year 1896 within the limits of the present city of Bartlesville. This well, now twenty-six years old still produces oil and its steady flow from the beginning was sufficient proof of the existence of a real oil field to presage a wonderful development of the oil industry in that section of the state. The lands at that time, however, were not allotted, but owned by the Indians in common, and on account of the numerous difficulties and doubts about securing valid leases, the real development of the oil industry was delayed; but when the time arrived that the promoters felt safe in investing their money in leases and in drilling wells, oil derricks arose as if by magic throughout this section of the state. In the meantime, natural gas was discovered in abundance, and Washington County soon found itself in possession of one of the most important oil and gas fields of the United States.

It would scarcely be possible to find another county of its size anywhere in the southwest country that is so well supplied with banking facilities. Within an area of less than five hundred square miles of land the following banks are maintained, with approximate deposits as follows:

First National Bank of Bartlesville.....	$ 5,200,000
Union National Bank of Bartlesville....	3,000,000
Exchange National Bank of Bartlesville.	320,000

Central National Bank of Bartlesville...	225,000
Bartlesville State Bank	1,500,000
First National Bank of Dewey.....	500,000
Security National Bank of Dewey.....	300,000
State Bank of Vera.....	100,000
Citizens' State Bank of Ramona.....	300,000
Oklahoma State Bank of Ochelata.....	140,000
Bank of Copan	160,000
Total bank deposits of the county....	$11,745,000

BARTLESVILLE—COUNTY SEAT OF WASHINGTON COUNTY

Bartlesville, the county seat of Washington County, is located near the west central part of the county at the junction of the M. K. & T. and the Santa Fe railroads. The town was named in honor of Jacob H. Bartles who came down from Kansas to this section of the country soon after the Civil war. He was so favorably impressed with the appearance of the country that he settled near the present site of his city namesake, on the banks of Caney Creek. He was a practical farmer and within the space of a few short years he had developed a large farm and was producing fine crops of wheat and corn. He married a Cherokee wife which gave him the right, under the laws of the tribe, to settle upon any unoccupied lands of the Cherokee Nation. Within a few years he had built a mill and established a general store, which was the beginning of the Town of Bartlesville, a new building was occasionally erected, but for several years it was but a frontier trading point of cheaply constructed frame houses, fronting on one street. About 1896 the first producing oil well was drilled within the limits of the unpretentious village, which was watched with interest by prospectors and which resulted in a rush of prospectors, drillers, mechanics and home-seekers as soon as valid leases could be obtained. From that time forward the village rapidly cast aside the dull monotony which is characteristic of the frontier towns and began to assume the appearance of a thriving young city. Although many adventurers, miners and oil well drillers were attracted to the young city by the prospects of wealth and employment, Bartlesville has been remarkably free from the disorderly element which so frequently characterizes mining towns. For several years past the

FIRST NATIONAL BANK BUILDING, BARTLESVILLE

MAIRE HOTEL, BARTLESVILLE

city has, by ordinance, prohibited Sunday moving picture shows. Another ordinance provides that no public dance halls can be operated without special license; that when licensed they shall be under the supervision of special officers; and that no minors shall be permitted to attend public dances unless accompanied by their parents or guardians. A curfew ordinance provides that no children under sixteen years of age shall be allowed on the streets after half past nine o'clock in the evening. Rooming houses must secure special license and are under the strict surveillance of the city police. A cigarette ordinance makes it a misdemeanor to sell cigarettes to minors. Children under sixteen years of age are not permitted to drive automobiles on the public streets.

Bartlesville is also justly proud of its churches. The Presbyterian Church is a spacious building of white brick, having numerous rooms for the various classes and church societies, with a church membership of nearly six hundred. Its buildings and furniture are valued at about seventy-five thousand dollars.

The Baptist Church has a membership of more than six hundred with a conveniently arranged church house. Its building is not large enough to accommodate its increasing membership and a new and larger building is already being planned. Their present building is well provided with parlors, class-rooms, kitchen, etc., but more space is needed for the various social activities which the church officials are planning for the future.

The Christian Church is a commodious structure, divided into numerous apartments and represents an investment of approximately one hundred thousand dollars. This church has about eight hundred members and is well supported by its congregation.

The Epworth Methodist Church has recently erected a new church building and, at present, its members utilize both the old and the new building. Its membership numbers about two hundred and is increasing.

All of the churches maintain good Sunday schools, conducted mostly upon the department plan, with special courses of study outlined for each year. Special attention is given to the social activities incident to church work, such as parties, picnics and other social gatherings for the old people as well as the young.

Other religious denominations, among which are the Episcopalians, Catholics, United Brethren and Christian Scientists, also maintain good church and Sunday school organizations.

The Young Men's Christian Association is well supported as an adjunct to the church work of the city. A gymnasium is provided with physical apparatus, suitable for girls as well as boys who divide the hours in indulging in games, amusements and exercises of various kinds.

Bartlesville is not behind other cities of its class in its support of the various civic organizations which tend toward the moral and social uplift as well as the commercial advancement of the community.

An active Rotary club was organized a few years ago which devotes its quiet energies toward improving the general welfare of the city, giving special attention to the improvement of the boy life of the city.

The Kiwanis Club is giving some attention to the boys also, and in addition thereto, it directs its efforts toward the betterment of the city along other lines.

The Lions' Club is one of the newer organizations of the city but it is directing its energies toward the improvement of conditions in the city along various lines.

The Bartlesville Chamber of Commerce is probably the most effective organization of the city. Many things are constantly safe-guarded by the members of this body which are of value to the city, and many things are done for its benefit. A merchants' and community institute was held in the city for one week. Noted lecturers were present and gave interesting and instructive talks during the entire week, on topics pertaining to the improvement of civic as well as business interests. During the unemployment period the Chamber of Commerce made a survey and took all possible steps to give all assistance in this line. To make possible a place where the community interest could be taken care of comfortably, all efforts were put back of building a convention hall. An election was called; a $300,000 bond issue was voted for the construction of such building. A curb market was instituted where farmers and truck growers could find ready sale for products and the consumers find what they want at a nominal price. Tourist park has been established with facilities to accommodate those passing through the city. Through the chamber of commerce a bureau of mines experiment building has been built, and presented to the United States Government and it still receives both financial and moral support of the city.

WASHINGTON COUNTY COURTHOUSE, BARTLESVILLE

PORTION OF THE BUSINESS CENTER OF BARTLESVILLE

In the cause of civic improvement and service the women of Bartlesville are doing their full share. They have organized various clubs at different times but at this time, their most active club is known as the Allois Club. Its membership is composed of the younger class of women who are interested in assisting other societies that are endeavoring to put into practice the principles of the Golden Rule.

With the assistance of the various civic organizations of the city an active council of the Boy Scouts was started about two years ago in which there are now enrolled about two hundred members. Soon after this council was ready for active service an experienced man was employed as Scout Executive who supervises all the activities of the council. The boys have frequent hikes, fishing and camping trips, and are taught to observe the scout motto: Do A Good Turn Daily. This council was one of the comparatively few in this country to send a representative to the International Scout Conference, held in Europe in 1920.

The leading men of Bartlesville maintain a country club with a commodious club house near the city which affords rest and recreation for its members and their families. The club grounds include a good golf course, tennis courts and a swimming pool.

In order that its citizens might have better facilities for entertainment the taxpayers of the city have but recently voted bonds in the sum of $300,000 for the erection of a large convention hall which will be utilized as a community center and as an assembly room for large conventions.

Bartlesville has two extensive wholesale grocery companies. The Behring wholesale company began business in 1904 in a small way, but its business has expanded in proportion to the growth of the city and the surrounding country. The daily sales of this company are now in excess of its weekly sales during the first few years of its existence.

The Bartlesville Wholesale Grocery Company, established about four years ago, has built up an extensive trade in southern Kansas and northern Oklahoma.

Bartlesville was prompt in recognizing the value and importance of building and loan associations as an aid to city building. The Home Saving & Loan Association began business in 1909 and now has about one and a half million dollars invested in the homes of the city.

The People's Saving & Loan Association, organized in 1914, now has about $400,000 invested in new homes.

The Empire Building & Loan Association is a newer institution whose loans now aggregate about four hundred thousand dollars. Opportunities for remunerative investments in eastern Oklahoma have been so numerous that the people have been slow to take advantage of the wonderful possibilities offered by good building associations as an aid in town building. It is a well known fact that in many of the towns of the older states a majority of the homes are made possible by the easy terms of payment offered by building associations and as our young state advances in years, it, too, will pattern after the other states in this respect.

CITY SCHOOLS

Bartlesville has an up-to-date public school system consisting of a senior high school, a junior high school and five ward schools. The senior high school includes the regular work of the tenth, eleventh and twelfth grades and has special courses in manual training, arts, music, a commercial department and a training course for prospective teachers. The junior high school does the work of the seventh, eighth and ninth grades. The junior high school building was recently added to the city school system at a cost of about one hundred thousand dollars. It is equipped with a gymnasium, moving picture machine and departments of manual and domestic science. About twenty-seven hundred pupils are enrolled in the public schools of the city and 100 teachers are employed.

BARTLESVILLE'S FEDERAL EXPERIMENT STATION FOR THE OIL INDUSTRY

Congress passed a law a few years ago providing for the establishment of ten mining experiment stations, at the same time appropriating an annual fund from the Federal treasury for the operation of these stations, all of which were to be under the supervision of the Bureau of Mines. In the latter part of 1917 the Secretary of the Interior, realizing the magnitude and importance of the petroleum industry as well as the many problems confronting the producers and refiners, decided that one of these stations should be devoted exclusively to petroleum and natural gas.

The question immediately arose as to where this station should

Y. M. C. A., BARTLESVILLE

JUNIOR HIGH SCHOOL, BARTLESVILLE

be located in order that it might be of most value to the industry which it intended to serve. A short review of the field soon demonstrated that the hub of this great industry lay in Oklahoma and this state was the natural location for such an institution. The act passed by Congress did not provide the funds for erecting buildings for these stations as it was believed that the cities interested in any particular station would be willing to furnish the necessary space for offices and laboratories. Most of these experiment stations are located at the Universities in the different states but in the case of the petroleum station it was thought that it should be provided with separate buildings and a site of sufficient size to allow for expansion. The committee chosen to select the site for the petroleum station decided that the city desiring the station should agree to provide a suitable site and a fund of $50,000 to be used for constructing and furnishing the buildings. Several cities made bids for this institution but Bartlesville was the first to positively guarantee to donate a suitable site and $50,000 cash for erecting the buildings and on January 1, 1918, the Secretary of the Interior approved the establishment of the petroleum experiment station in this city.

The purpose of the petroleum experiment station at Bartlesville has well been stated as follows: "The petroleum experiment station at Bartlesville was established by the Bureau of Mines for the purpose of coöperating with those actively engaged in the petroleum industry. It might be termed a laboratory for practical research and for solving problems, devising new methods, preventing wastes, effecting economics, and for collecting and disseminating information. Investigations are not limited to any one branch of the industry nor to any one part of the country. Wherever opportunities appear for increasing efficiency, whether in the drilling of wells, in the producing or transportation of oil and gas, in the storing, refining or utilization of oil and its products, they may be considered."

The following comprises a partial list of the investigations conducted by the various members assigned to the Bartlesville station since it was established in 1918. A number of these investigations have been completed and the results published in bulletins of the Bureau of Mines; other investigations included in the list are now being conducted by men connected with the experiment station:

Evaluation of Oil and Gas Properties—J. O. Lewis.

Natural Gas Gasoline Investigations—W. P. Dykema, R. O. Neal.

Airplane Fuels for Use at High Altitudes—Clarence Netzen.

Inspection Airplane Gasoline—W. G. Hiatt.

Oil Field Development Problems—Work in Comanche and Walters Fields—T. E. Swigart.

Drilling Operations—C. E. Beecher, G. S. Brewer.

Refinery Investigations—H. H. Hill, D. B. Dow, C. R. Bopp.

Value of Gas in the Osage Nation—H. R. Pierce.

Manufacture of Carbon Black—R. O. Neal.

Evaporation Losses of Crude Oil in Storage—J. H. Wiggins.

Quality of Gasoline Marketed in the United States—H. H. Hill.

Methods of Increasing the Recovery of Oil from Oil Sand—A. W. Ambrose, C. E. Beecher.

Conservation of Natural Gas in the Home—O. A. Elifritz.

Study of Underground Conditions in Oilfields—A. W. Ambrose.

Hewitt Field Investigation—T. E. Swigart, F. X. Schwarzenbek.

Study of Fractionating Towers—H. H. Hill.

Recovery of Gasoline from Still Vapors—D. B. Dow.

The Bureau of Mines Petroleum Station or, as it is more familiarly known locally, "The Government Experiment Station" is an institution of which Bartlesville feels justly proud. It is the only Government experiment station in the country devoted exclusively to studies of petroleum and natural gas and although comparatively young, has demonstrated that it can be of immense service to the city, state and industry by its work on methods for cutting down wastes in the production and utilization of Oklahoma's two most valuable resources. Bartlesville, although not an "oil town" in the sense that the term is generally used, is nevertheless dependent on oil for its continued growth and prosperity and considers itself fortunate in harboring within its limits an institution universally recognized as an effective agency for prolonging the supply of the "stuff" for which Oklahoma is famous, crude oil.

MANUFACTURING AND OTHER INDUSTRIES

While the manufacturing industries of Bartlesville are not large, yet it has a number of well established firms and others are

MASONIC TEMPLE, BARTLESVILLE

ELKS HOME, BARTLESVILLE

being added. The eleven shops well prepared with foundry, welding, and manufacturing machinery for drilling tools, engines, oil tanks, well packers, pumps, pattern devices, and repair work of all kinds are in operation all the time. These shops employ several hundred men and are always running at full capacity.

Bartlesville being the center of oil and gas interest for this district, there are many oil well supply stores having offices here. Three large smelter companies are located in Bartlesville having a combined capacity for smelting 12,000 tons of ore a month. All grades of spelter, are handled, as well as zinc dust and oxide.

Over one hundred and fifty oil companies have offices in this city. Among these are some of the largest in the state. The Henry L. Doherty interests of New York, known as the Empire Gas & Fuel Co., have the central offices of the Southwest in Bartlesville, occupying eight stories of the Masonic building. Their office employes number over eight hundred. The Phillips Petroleum Co., the Indian Territory Illuminating Co., and the Barnsdall Oil Co., are among the largest companies represented in the city. Numerous pipelines, torpedo companies and drilling contractors center their activities here for the convenience of reaching the territory where their activities are located.

The Bartlesville Zinc Company and the National Zinc Company own and operate the three smelting plants adjoining the city on the southwest.

Taken as a whole, the smelters are the largest employers in the city. With operations reduced somewhat below capacity, there is at present employed more than 850 men and the total annual payroll exceeds $1,500,000; when operating at full capacity, more than twelve hundred men are employed with an annual payroll in excess of $2,500,000.

In the operation of these plants there are numerous departments which may be considered as a complete manufacturing plant. For instance, at each plant is a complete pottery where retorts, condensers, fire brick and many other articles of clay are manufactured for use. At each plant is maintained a complete machine shop with a corps of machinists, electricians, carpenters, brickmasons and general repair men.

Ores from China, Italy, Mexico and various points in the United States, particularly from Butte, Mont., and Joplin, Mo., are shipped to Bartlesville and smelted. The resulting product,

spelter or crude zinc, is cast into plates and shipped to all parts of the world for use in making brass products and in galvanizing iron for manufacturing tubs, buckets, telephone wire, roofing, etc. At the Bartlesville Zinc Company's north plant is also manufactured zinc oxide, which is used in making paints and, in its refined form, as an antiseptic and zinc dust, from which our fireworks and signal flares are made.

The ore is received and sent first to the roasting furnaces where a gradually applied heat removes the excess sulphur. Next is the mixing room where coal, coke, salt and earth are mixed with the ore into what is known as the charge. This charge goes to the furnaces where it is packed into retorts, or horizontal caldrons, and subjected to an intense heat which, combined with the action of the various chemicals in the charge, releases the zinc in vapor form. This vapor floats into the condenser set at the end of the retort, and, after condensing to a molten metal, is drawn from there into pots and cast into slabs.

The other towns of any size and importance in Washington County are Dewey, Ramona, Ochelata, Copan, Vera and Wann. Of these, Dewey is the largest.

DEWEY

Dewey is located but four miles north of Bartlesville on the Santa Fe and M. K. & T. railroads. Like Bartlesville, it owes its beginning to Jacob Bartles. Mr. Bartles was instrumental in securing the first railroad to build down through Washington County. It was called the Kansas, Oklahoma & Southwestern, but was soon absorbed by the Santa Fe system. When the railroad reached the present site of Dewey, Mr. Bartles moved one of his country stores over to the railroad. This took place shortly after Admiral George Dewey won his great victory over the Spaniards by destroying their fleet in Manila Bay, and as the praises of the hero of Manila Bay were being sung by Americans everywhere, Mr. Bartles and his associates decided to name the new town after him. The little village has now grown to be a thriving city of 2500 inhabitants. Its growth and principal industries are largely due to the development of oil and natural gas in that vicinity, and to the smelters which the bountiful supply of gas induced to locate there. For several years Dewey gained quite a good deal of fame

EDWARD L. BENNETT BUILT THIS HOUSE ON OLD STOKES PLACE IN WASHINGTON COUNTY, IN 1879

Mrs. D. L. Stokes and Mrs. Ed. Webster, daughters of Bennett, are in picture

and free advertising by the annual Round-ups which were held there and which attracted many of the old-time cowboys who were anxious to show the world that they had not forgotten how to rope the wild steers, an art in which they had become wonderfully proficient in former days. Later, Dewey established a County Fair which combined the exhibitions of the cowboy of the past with the products of the modern farm. These annual exhibitions were an admirable blending of the old-time civilization with the newer era of the agriculturist,—the transformation from cowboy days to ploughboy days.

Dewey is well supplied with modern homes, stores, hotels, churches and has established a first class public school system including all of the common school grades and an approved high school, thirty-three teachers composing the entire faculty.

Ramona, a town of about one thousand people, is located in the southern part of Washington County on the Santa Fe Railroad. It, too, has been benefited by great development of oil and gas in that section of the state. Ramona has a consolidated school district, which includes quite a territory outside of the corporation, and a good high school, as well as the common school grades, is well managed with a faculty of twenty-one teachers.

The other towns of Washington County have good stores, churches, comfortable homes and excellent public schools.

CHAPTER XXXVI

NOWATA COUNTY

AREA—WATER SUPPLY—CROPS—TOWNS ESTABLISHED—OIL DISCOVERED—CITY OF NOWATA—CHURCHES—SCHOOLS—CLUBS—BANKS—HOTELS—BUSINESS HOUSES—NEWSPAPERS—SKETCH BY MRS. E. G. WITTER—DELAWARE—LENAPAH—WANN—ALLUWE.

Nowata County is located in the northern part of the state bordering on the State of Kansas and lying between Craig and Washington counties. It contains more than five hundred square miles of land, nearly all being of good quality, capable of producing good crops. In the olden days when the cattle men had control of the greater part of this country, that portion now included in Nowata County was much sought after on account of its nutritious prairie grass and the abundant supply of water. In their drives to the northern markets with great herds of fat cattle the cowboys were fond of lingering here for days at a time to give their herds their final feeding up before rushing them on to the Kansas City market.

The Verdigris River, on its southward course from Kansas, flows down through the middle of Nowata County and it, together with its numerous little tributaries, furnishes almost every part of the county with a never-failing supply of fresh water.

Corn, wheat, oats, alfalfa and vegetables are the staple crops and many farmers have good grades of cattle, horses and hogs.

The Valley of the Verdigris River is very fertile and many well improved farms have been developed in that section of Oklahoma. During the old Indian regime Nowata County was included in that division of the Cherokee Nation which was known as the Coowescoowee District and many Cherokees, who appreciated good farm lands, located here seventy and eighty years ago.

Prior to 1889 there were no railroads in this part of the Territory, Coffeyville, Kan., being the nearest railroad town, and for many years the farmers did their freighting back and forth from

Coffeyville. During the summer of 1889, however, the St. Louis & Iron Mountain Railroad Company extended its line down from Coffeyville through Nowata County and on south to Fort Smith, Ark. It seems to have been the policy of this Company to establish a station about every six miles, and in crossing Nowata County from north to south the stations of Elliott, Lenapah, Delaware, Nowata and Watova were established.

The valleys of the Verdigris River and its tributaries were formerly pretty heavily timbered, much of the timber being of good quality. Many car loads of fine walnut logs were cut and shipped to northern furniture factories after the railroad was extended down through the country.

The proceeds derived from the sale of these logs aided the farmers very materially in improving their homes but the money which they received from that source was only a fractional part of what such valuable timber would be worth on the market at the present day. These valleys also furnished many immense cottonwood logs from which a fairly good grade of lumber was made for building purposes. The development of the agricultural resources of Nowata County progressed at a gradual pace, but not until the discovery of oil about the year 1904 did the towns of the county begin to manifest vigorous signs of life. Oil was first discovered in the southern part of the county in what was designated as the "Alluwe" field. Prospectors and drillers soon got busy in various parts of the county and by 1906 the famous "Hogshooter" field was discovered. Oil was also found at Coody's Bluff and other parts of the county. The deposits of oil in this county were found to belong to what the drillers termed the "shallow" field, and because of the comparatively small cost of drilling a well, the development progressed rapidly and a lively scramble for leases and drilling permits ensued.

Fortunes have been made by the oil operators in this section of the state, and wells drilled several years ago are still bringing their owners handsome incomes. In addition to its numerous oil wells, Nowata County has an abundance of natural gas and coal for fuel.

CITY OF NOWATA

The City of Nowata, the county seat, is located in the south central section of the county on the St. Louis and Iron Mountain

CITY HALL, NOWATA

NOWATA COUNTY COURTHOUSE, NOWATA

Railroad, not far from the Verdigris River. It is now a flourishing city of 5,000 people and is supplied with a system of water works, electric lights, telephones, natural gas, paved streets, cement sidewalks and all modern conveniences usually found in an up-to-date city of its size.

It is surrounded by rich farm land, which is especially adapted to small grain. This is also an ideal dairying and stock raising country. The City of Nowata is in the heart of the shallow oil field of Nowata County and immediately adjacent to the city is a vast coal field which is now being opened.

Nowata has an assessed valuation of $2,839,669 and an estimated valuation of $5,000,000. The 1920 census gives the following figures: Population, 4,435, of which 3,920 are white and 515 are colored, and only forty-nine foreign born. It has 1,077 homes, 578 of which are owned by the occupants and 357 of these are free from debt. It has 26.55 miles of streets, 6.47 miles of which are paved, a municipally owned water plant, giving the citizens one of the lowest water rates in the state; motorized fire equipment, and a greater portion of the city served by a sanitary sewer.

The public schools have a total enrollment of 1,406, classified as follows: White grade school, 874; white high school, 318; colored grade school, 161; colored high school, 53; with a corps of fifty-six teachers and an annual payroll of $77,904. The high school is approved by the North Central High School Association, and its graduates can enter any state college in the country without undergoing an examination. The school system represents an investment in grounds, buildings and equipment of $225,000 for white pupils and $40,000 for colored pupils.

It has a public library, open eight hours a day, with a competent librarian in charge. It has 2,784 volumes for adults and 1,250 volumes in the juvenile department.

Nowata has seven churches, representing an investment of $130,000, which are served by able ministers. The churches exercise a wider and deeper uplifting influence than the average church of the modern day. They represent a membership of over fifteen hundred, an average Sunday morning attendance of over twelve hundred and a Sunday school attendance of over one thousand.

Nowata has a live Rotary Club, devoting most of its energies toward Boys' Work, a hustling Lions' Club, whose activities are along the lines of civic improvements, a large Community Club

composed of citizens not only of the City of Nowata, but of all Nowata County. The Women's Clubs, both literary and musical, are not only alert and progressive in their respective efforts of self culture, but are of practical service to the community and are affiliated with both state and national federations.

The city has three strong banks with resources amounting to $2,500,000 and deposits amounting to $1,720,000. It also has a strong Building & Loan Assn. with resources of over three hundred thousand dollars and no delinquent interest. In addition to the above, Nowata has three high-class hotels, equal to any to be found in any city of 25,000; three machine shops, four lumberyards, two grain elevators, ten garages, five oil stations, three of which operate modern drive-in filling stations, three seed houses, a modern 36-ton capacity artificial ice plant, with 500 ton storage capacity, which shipped over one thousand five hundred tons of ice last year; a fine radium bath house with eighty-five rooms and expert attendants. It boasts of having one of the best daily newspapers of the state, giving both Associated and United Press telegraph news service and two weekly newspapers. Nowata is the headquarters of the Henderson Gasoline Co., manufacturers of casing-head gas, from the largest single plant under one roof in the world and the second one built in the Mid-Continent oil field. It is also surrounded by the greatest shallow oil field in the Mid-Continent section, the same being served by four pipe-line companies. The retail stores are equal in appearance and service rendered, to any, and serve a population of over fourteen thousand people within a radius of eleven miles.

Nowata's industrial advantages are unexcelled. With oil and coal all around it, these advantages should be more rapidly developed than they now are.

Much of the foregoing information was furnished by Mr. C. E. Manning, the efficient manager of the City of Nowata, who also adds that as early as 1889, ten years before taxes could be levied for public purposes, Nowata provided free schools for the boys and girls of the community.

The following interesting sketch of the City of Nowata was written by Mrs. E. G. Witter of that city and read at a meeting of the La-Kee-Kon Club, one of the most active of the Women's clubs of Nowata:

"If a complete history of Nowata were being written a most

GRADE SCHOOL, NOWATA

HIGH SCHOOL, NOWATA

interesting account would be possible—indeed, we might glean from its prairies and weave into its early history beautiful Indian Legends with facts of its sturdy western life. But owing to the brief time allotted to the writing of this article, I will take up only the important steps in its growth and progress to date.

"We first learned that the Iron Mountain Railway established stations through the Indian Territory at an interval of every six miles; completing the road to Nowata in the early fall of 1889. When the station was established, the name Noweata, a Delaware word meaning 'come here' or 'Welcome' was suggested and adopted. The railroad men mispronounced this name, calling it Nowata and officials from Washington wrote the name Nowata on the official documents. So the town gradually became Nowata, instead of Noweata, as it was originally named.

"The Civic club, an organization of Nowata ladies, tried at one time to have the name corrected but there was so much red tape about the process that it was finally dropped.

"After the depot was built, Mr. J. E. Campbell erected a store building, which was the first structure completed in town following the erection of the depot.

"Mr. W. V. Carey put up the next building, which was Nowata's first hotel. This joined Mr. Campbell's store and the two buildings occupied the ground where the Carey Hotel now stands. Later a fire which originated in the hotel destroyed both buildings. Part of the goods were saved from Mr. Campbell's store and these he placed in a shed on the corner where the Frick-Reid Supply Store now stands. Later Mr. Campbell put up a frame store building on the corner where Campbell and Cobb's store is located. This store was later destroyed by fire after which Mr. Campbell immediately erected the building now occupied by Campbell and Cobb, which was completed in 1894 and which was Nowata's second brick building.

"Before that time Mr. Henry Armstrong of Coody's Bluff had put up a brick building which is still standing and is now occupied by the Farmers' Supply Company. These brick structures were followed by the present post office building.

"Nowata's first real impetus was caused by the establishment of the United States Court, being located here in 1904. When it became apparent that Congress would establish courts at several towns in the Indian Territory, Mr. E. B. Lawson was induced to

go to Washington in the interest of this matter and his success caused great rejoicing in the small but ambitious village.

"The First National Bank at that time was preparing to build on its present site, but instead of erecting a two story building as had been planned, a third story was added for the accommodation of the Federal Court. This building was destroyed by fire in 1909 and at that time the third story was used by Nowata County for court purposes. Nearly all the county records up until that date were destroyed, a serious loss and inconvenience felt by the county to the present date. After the First National Bank Building was destroyed, court was held in a small building on West Davis Street until the present courthouse was completed in 1912.

"After the Iron Mountain Railway had located a station here, several buildings had been erected and streets and alleys had been established by common consent of the people before the townsite had been surveyed.

"In 1892 the Cherokee Nation laid off the townsite of Nowata one mile square; subsequently this area was reduced to 320 acres by the Federal Government in 1904. After the town was incorporated in 1892 the Cherokee Nation auctioned off the lots, which they did each following year. At the first sale of these lots there was no disposition of individuals to bid on lots which had already been built on. Of course the parties building had had no title to their lots and serious trouble and loss might have been caused had others tried to buy these lots at the auction. However, public sentiment would have allowed no such thing to happen. Indeed, a man would have been mobbed had he undertaken it.

"With these exceptions there was sharp bidding for desirable lots, omitting, however, lots purchased for church purposes. Mr. L. T. Kinkead bid for the Baptist lots where the new Baptist Church now stands. This church was completed in 1918, taking the place of the old frame church that was built in 1896 and which was Nowata's first church. This church was used by all denominations for a while. Mr. J. E. Campbell bid for the lots for the Presbyterian Church, not far from the site of the Baptist Church. These lots were afterwards sold for a considerable sum and the proceeds used to buy the present Presbyterian site including the Manse, which was erected in 1908.

"The Methodist site was bought and donated to the Methodist people by Mr. George Martin and his brother. The first Methodist

FIRST METHODIST CHURCH, NOWATA

CHRISTIAN CHURCH, NOWATA

Church was built in 1901, in which the federated Methodists and Presbyterians held services. The present Methodist Church was built in 1910. The Catholic Church was built in 1909, followed by the Christian Church in 1911 and the Episcopal Church in June, 1912.

"The church lots and probably most of the lots sold at the first lot auction were purchased for the nominal sum of perhaps $2.00 or $3.00, but when the town area was reduced by the Federal Government in 1904, the people who had purchased lots prior to this time had to pay for them again. However, the prices were low and four years' time were given in which to pay for them.

"After Nowata was laid off and incorporated, a municipal government was organized under the laws of the Cherokee Nation, using the tribal laws. Later, there was provision for a Federal organization using the Arkansas Law.

"Mr. L. T. Kinkead was elected first mayor of the town and served in this capacity for about three years, not quite finishing his third term when Doctor Sudderth was appointed to fill his place under the Cherokee regime. Doctor Sudderth was succeeded by Fred Metzner who served as last mayor under the Cherokee incorporation. After his term expired there was just the one government. The town was incorporated under the Federal Government in 1898, at which time Mr. Ben Scoville was elected mayor.

"The two municipal governments existed in Nowata for a while with many conflicts arising and one ending in serious results. The government under the Cherokee regime was to some extent dominated by a lawless desperate class.

"Johnson Fulsom, or Johnson Push as he was called, was a Choctaw Indian who had been raised in the Cherokee Nation and who at one time had been city marshal, until he became so reckless and lawless that he was discharged in his drunken debauch. He would ride through the streets and over sidewalks into the stores on his horse, flourishing and shooting off his revolver, resisting arrest.

"In order to put an end to such a lawless state of affairs, the municipal government under the Federal authorities secured the services of a fearless man as their marshal from the outside, namely, Mr. Goodell. The rowdies of the town determined to get rid of Mr. Goodell and get him out of town but he resisted their opposi-

tion and stood his ground until conditions became unbearable. The time came when one of the two government factions would dominate. In the mixup Mr. Goodell killed Mr. Fulsom and his brother. The town was divided, some siding with and some against Mr. Goodell, who was afterwards convicted in the Federal Court at Wagoner and sentenced to the penitentiary for twenty years.

"Not a great while after his conviction he was granted a pardon by President Roosevelt. This affair put an end to the lawlessness in Nowata at that time.

"The Nowata people petitioned for a post office and the United States Post Office Department ordered Mr. Fred Metzner to move his office from California Creek to Nowata, which he did in April, 1890. Nowata's first schoolhouse was built where the Christian Church now stands. Mr. Keith of Coffeyville was the first teacher in the subscription school and Miss Grace Phillips was the first teacher for the Cherokees.

"Later the building now occupied by the Roberts Furniture Store was rented and used for school purposes. Both the subscription and Cherokee children attended. In 1903 an addition was made to the old building and Mr. J. A. Burns became superintendent. The present grade building was erected in 1909 and the high school building in 1918.

"When the constitutional convention met in 1907 Nowata was selected as the temporary county seat of Nowata County for a given length of time. In 1908 when the county seat went to a vote, Nowata won after a hot fight with Delaware.

"Nowata adopted the Commission form of government in 1913, which is the present form of city government. The commissioners at this time are:

R. C. Cauthorne, mayor and commissioner of public welfare;

A. P. Houglan, city clerk and commissioner of finance;

Frank McCartney, commissioner of public property.

"Prior to the adoption of the Commission form of government the city was governed by the aldermanic form, each ward being represented by an alderman. The Commission form of government has been replaced by the managerial form at a recent election when a new charter was adopted. The commissioners have been elected but the manager has not yet been selected.

"The City of Nowata owes her sudden and continued growth largely to the development of the oil fields in the territory adjacent.

EPISCOPAL CHURCH, NOWATA

FIRST BAPTIST CHURCH, NOWATA

The Alluwe field in November, 1904, was the first field opened, followed by the Coody's Bluff field about a year later, and then the Childers and Hogshooter's fields about 1906. All of these proving to be rich fields.

"A test well was put down in Nowata in 1906 but instead of oil, radium water was found. The opening of these oil fields caused people from all over the United States to locate in Nowata, as it was the center for this field.

"Before the end of this brief history of Nowata we must mention some of the clubs and organizations that have worked and are working for the betterment of our city. In 1906 the Civic club, which I have mentioned before, organized to assist in the civic welfare of the city, which they did in many ways. One of the lasting improvements to their honor was the building of the City Park.

"Our La-Kee-Kon Club, which organized in 1903 with Mrs. Eugene B. Lawson as its first president, has well lived up to its motto 'Mutual Improvement.' Its influence has not only been felt in Nowata but it has the honor of having chosen from its membership to the State Federation of Women's Clubs its most worthy president, Mrs. E. B. Lawson.

"An organization of which few cities the size of Nowata can boast is our Rotary Club, organized in June, 1919. This club has its ambitions and from them we expect great results. The Chamber of Commerce, which is known and represented in practically every home in Nowata, has already made its influence felt. They have made the paving of about fifty blocks in the residence districts practically certain, which is one big step forward and which is the beginning of many things for Nowata. When all the men of Nowata, who want to see her grow, get together and put their shoulders to the wheel she cannot stand still but is bound to move toward a higher goal.

"The Music Club, organized in 1905 with Mrs. J. Wood Glass as its first president, has been instrumental in bringing to Nowata many treats in the way of music, art, lectures, etc., and is encouraging the development and love for things artistic in Nowata."

DELAWARE

The Town of Delaware is located on the Iron Mountain Railroad about five miles north of Nowata. It, too, has profited by the

discovery of oil and natural gas and is now a prosperous little city of 1000 people.

It has built up a good public school system, including a good high school department, ten public school teachers being employed. It maintains several churches and Sunday schools, and has several civic clubs which are a credit to the town. Delaware has two banks, a system of waterworks and a number of stores, some of which furnish supplies for the oil drillers of that vicinity. It is located but a short distance from the Verdigris River and is a good trading point for the prosperous farmers of that section of the country.

LENAPAH

Lenapah is a growing little city of 600 inhabitants, located on the railroad about six miles north of Delaware. It is surrounded by a good farming community and has its share of oil and natural gas. The gas has been piped to the village and furnishes fuel for the homes and shops. One of the earliest oil fields discovered in this section of the state was located just west of Lenapah and at the time of its discovery it was regarded as being one of the most profitable fields in that neighborhood. Ever since the railroad arrived Lenapah has been a good shipping point, much of the freight going to and from some of the inland towns being loaded and unloaded here. Quite a number of well developed farms adjacent to the town assist in making it a busy little place.

Lenapah has two banks, several churches and, considering the size of the town, it has an unusually good public school system. Ten teachers constitute its faculty, and in addition to the common school grades, it maintains a very good high school.

WANN

The prosperous little town of Wann is situated in the northwestern part of Nowata on a branch of the Missouri, Kansas and Texas Railroad extending from Parsons, Kan., to Oklahoma City. It has a population of 500, supports several churches, a bank, several good general stores and a good public school, with all the grades from the primary up to and including a high school, eight teachers being employed.

SAVOY HOTEL, NOWATA

LOOKING EAST ON CHEROKEE STREET, NOWATA

ALLUWE

There are several little towns in Nowata County which are not fortunate enough to be located on any railroad, but which have good stores and schools, the most important of these villages being Alluwe. One of the first discoveries of oil in this section of the state was made near Alluwe and if it could have secured a railroad, it might have developed into quite a city. It is located in the southeastern part of the county, very near the Verdigris River and is a good rural trading point. It has several good stores, churches and a very good public school in which eight teachers are employed.

Nowata County has the reputation of being one of the most progressive counties in Oklahoma. Its citizenship consists of progressive men who have come from all parts of the United States, mostly of the younger class, very few being of foreign birth. Its farmers manifest the progressive spirit by improving the standard of their livestock and by studying the improved methods of farming. The citizens of the county are in favor of building permanent roads and are justly proud of their fine county courthouse, a handsome three story brick and Bedford stone building, finished on the inside with marble and hard wood. It is a building of which any county might be proud and it evidences the liberal and progressive spirit of the citizens of the county.

CHAPTER XXXVII

CRAIG COUNTY

LOCATION, AREA, SOIL, CLIMATE, ETC.—TOWNS, THEIR LOCATION AND POPULATION — VINITA: ITS CLUBS, LITERARY SOCIETIES, ETC. — BANKS—BUILDING AND LOAN ASSOCIATION—NEWSPAPER.

Craig County is located in the northern part of the state, adjoining Ottawa County on the west and the State of Kansas on the south. In Territorial days this section of the state was an important part of the Cherokee Nation and many of its officials and prominent citizens still reside here. Upon the abolition of tribal government and the adoption of statehood, these Cherokees quickly adjusted themselves to their new environment and their new political relations, many of them being successful farmers, business men and political leaders.

Craig County has an area of 775 square miles of land, mostly level prairie land, nearly all of it being of first class agricultural soil. During the years gone by, great quantities of prairie hay were cut each year and much of it shipped to northern markets. Some of the largest and most prosperous cattle ranches were formerly located in this section of the state, but when lands were allotted to the Indians and cut up into small farms, a much greater portion of the land was put into cultivation, and, as a result, the immense pastures disappeared and the shipment of prairie hay became a less important industry.

In those pioneer days it was customary for the "cow men" to drive thousands of long horn cattle, each year, from Texas to this section, to be fattened for market on the succulent grasses which grew so abundantly on these broad prairie pastures.

The soil and climate of this section are well adapted to the production of practically all of the varied crops of the temperate zone, but corn, wheat, oats, alfalfa and prairie hay are the staple crops. Some cotton is raised but is neither as sure nor as profit-

able as in the counties farther south. The climate and soil of this county are well adapted to horticulture, especially to the production of peaches, apples, grapes and berries. Some good orchards are found here, but a more thorough, scientific study of fruit culture would greatly enhance the value of that industry. More attention is being given to diversification of crops and to systematic farming now, than in the days when the cow puncher reigned supreme. In this work the county farm agents and the agricultural schools of the state are rendering valuable assistance.

There are no large towns in this county outside of Vinita, but there are a number of excellent shipping points and good trade centers. Welch, located eighteen miles north of Vinita, on the M. K. & T., has a population of 800; Bluejacket, also on the M. K. & T., is twelve miles north of Vinita, and has a population of nearly six hundred; Big Cabin is six miles south of Vinita on the M. K. & T. and has a population of something like four hundred; White Oak is located eight miles west of Vinita on the Frisco and has a population of 200; Centralia is an inland town twenty miles northwest of Vinita and has a population of some 300 happy and progressive people. All of these towns are located in fine agricultural sections and furnish the people who make them their trade centers with all the necessities and many of the luxuries of life.

VINITA

Vinita, the county seat of Craig County, is located southeast of the center of the county at the intersection of the Missouri, Kansas & Texas Railway with the Frisco.

Mr. D. M. Marrs, an old citizen, and for many years editor of the Vinita Leader gives the following sketch of the origin and growth of the city:

"A generation ago, or to be more explicit, in the fall of 1869, there might have been seen struggling through the rank underbrush, or toiling through the tall prairie grass, a party of men locating a route for a railroad along the line now traversed by the Missouri, Kansas and Texas, south of the Kansas line, and headed southward toward Texas and the Gulf. It was a fine autumn day in the early part of October. The green and gold and purple of the leaves of the timber that scantily skirted the streams made a pretty picture in the soft, hazy sunshine. The party scrambled up

CITY HALL PARK, VINITA

HIGH SCHOOL, VINITA

the south bank of Cabin Creek and strolled leisurely out onto the more elevated prairie and struck camp, or rather came up with the wagon outfit which had preceded them, though by a circular route, and had gone into camp earlier in the afternoon. The gang of men were under instructions to locate a station thirty miles or thereabout from the state line; and their record of chain lengths told them that they had about reached the place. The circumambient line of timber on the north and east, following the undulation of the stream, and stretching away to the southward, the long line of Indian summer clouds that melted away before the evening sunset, the magnificent adjacent country, all tended to fix the conviction upon those interested that a finer location could not be found for a station and by-and-by a thriving town.

"Such were some of the preliminaries to the birth of Vinita, but the fates deemed it not wise to locate the town on the spot first decided on by the advance agents of a great railroad. The survey of the Atlantic and Pacific by mutual agreement crossed the "Katy" at this point and everything ran along smoothly till the former roadbed was built to within a mile and a half east of this present townsite. Then a very remarkable thing happened and the townsite was removed between two suns, very much to the disgust, and even armed resistance, of the "Katy."

"The elder E. C. Boudinot, Dr. Polson, Johnson Thompson and Col. J. M. Bell arranged with the Atlantic and Pacific people to turn their line abandoning the old survey and cross the "Katy" where the crossing now is. In the meantime Boudinot and his friends fenced something like two miles square with posts and lumber and undertook to 'own' the entire townsite and more. The Atlantic and Pacific came with camps and baggage in the night time with the huge iron railroad crossing loaded on a wagon and proceeded to place it across the track of the other line. The 'Katy' people, aroused and indignant, came with an armed force and tore up the crossing and stood guard day and night, slowly dragging trains back and forth to prevent the other road from making headway. The courts were finally appealed to and an injunction granted, and the road pushed westward to the crossing of Big Cabin.

"Boudinot's scheme to hold the townsite did not succeed. His fencing was torn down and destroyed, and the Cherokee authorities, through the town commissioners, surveyed and platted the

present town site and named it Downingville, but Boudinot had the satisfaction of giving it a name which superseded Downingville, and from the start was the popular one, and had the advantage of the sanction of both railroads. Boudinot named the town Vinita, in honor of Vinnie Ream the sculptress, whom he had known and loved in Washington City, while an exile from his home and people on account of his premature notions as to allotment of Cherokee lands.

"The town was platted and the first lots sold in February, 1872. Martin Thompson was the first to bid on and purchase a lot in the town. At first, after the coming of the Frisco, the town was built principally of tents and board shanties, occupied for the most part by whisky peddlers and toughs. Brawls and fights were frequent and now and then a man would be killed.

"There were no section lines in the Cherokee country in those days and the town was surveyed parallel with the Katy railroad which runs through the town at an angle of 43 degrees east. That accounts for the streets not running square with the points of the compass.

"Originally there were thirteen streets and nine avenues. The streets were named for prominent Cherokee families as Vann, Wilson, Scraper, etc. The avenues were named for the districts or counties into which the Cherokee Nation was divided, Sequoyah, Delaware, Canadian, etc. As a pioneer frontier town, Vinita was not long a 'wild and woolley' west town, but early in its history became a school and church town, populated for the most part by lawabiding people who laid the foundations for the present splendid little city. With the exception of the Cherokee public schools, to the Congregationalists belongs the credit for the first high school, the old Worcester Academy, which owned and occupied the block where the present high school building stands. The Congregationalists planted a church also with the school. The Methodists and Presbyterians were also pioneers in church building, and afterwards came the Baptists, Catholics and Christian churches.

"A generation ago the Indian Territory embraced all of what is now Oklahoma and was the finest stock country on the habitable globe. Vinita was the headquarters of cattlemen from all over the Indian Territory. Vast herds roamed at will over the unsettled prairies and long horned Texas steers by tens of thousands were turned loose upon the unlimited range. Wild game was

plentiful and this country was a hunter's paradise. But with the railroads came the death knell of Tribal government and the council fires of the fullblood Indian went out on the mountain side and the inevitable march of civilization transformed the wild, unsettled country into farms and homes. The unsettled prairie became the shady lane, the cozy farm house, the bustling village and the throbbing, restless city. The first residents of Vinita were for the most part splendid people, nature's noblemen. Vinita may never be a large city but it is, and always has been a good place in which to live.

"For ten years there was a slow, gradual growth. A few hundred people had settled here at the crossing of the railroads, few town lots had been sold, and property was not in demand—at least the kind of property embodied in a town lot. Ten years later, however, the city of Vinita became, for the time being, the base of supplies and added some hundreds to its population. A steady though not rapid, growth set in then that has continued to the present. In some portions of the town thickly built and populated now, hay was cut in the summer a few years back.

"At an elevation above the sea level of from seven to eight hundred feet, and its proximity to the great Western plains, once styled the American Desert, assures an abundant supply of pure dry air in summer, and a protection against the sultry nights in summer which prevail in Arkansas and Missouri and farther south. Our winters are neither long nor severe, generally speaking, being so blended with the prolonged and delightful autumns and early spring that their identity is almost lost, save for an occasional blizzard which has almost spent its force in Nebraska and Kansas before reaching Oklahoma."

Vinita has never been a boom town, but from a small beginning in 1872, it has steadily grown, keeping pace with the development of the surrounding country, until now it is a flourishing city of more than five thousand people. It has an excellent high school which maintains a full four years' course and good grade schools. Thirty-six teachers are employed and a normal training department is maintained for young teachers. The departmental system of teaching is in force in all classes above the fifth grade. A parent-teachers' association has also been organized through which the parents become acquainted with the teachers and work in harmony with them.

Willie Halsell College, a Methodist Educational Institution, located in the suburbs of this city, has for many years been recognized as one of the leading denominational schools of the state. Prior to the advent of a public school system, it furnished many white and Indian students with their only available facilities for securing an education.

The Valentine Business College, established in 1915, has been doing its share toward preparing the young men and women of this section of the state for practical business careers.

The educational and literary progress of the people of the city has been very materially aided by the rather unusual number of women's clubs which have been organized at various times in Vinita. The Thursday Literary Society was organized in 1896 by a dozen of the leading ladies of Vinita and was active until about 1905.

About 1900 the Twentieth Century Club was organized and, for several years, followed a systematic course of study.

The Vinita Art Club was organized in 1899 by about twenty-five of the foremost women of the city and soon became one of their most popular clubs.

The Fortnightly Club enjoyed a brief season of popularity, but in 1903 it consolidated with one of the other societies.

Several years ago a Women's Civic Club was organized by Mrs. J. W. Orr, in which the men were admitted as associate members. This society did much toward beautifying the city by planting shade trees and developing the parks of the city.

The Entre Nous Club was organized early in 1903 with a large membership. For several years its members studied the Bay View course and held many interesting and profitable meetings.

About 1904 the Sequoyah Literary Club (named in honor of the inventor of the Cherokee Alphabet), sprang into existence and, for several years, made a special study of Shakespeare and other dramatic authors.

During the past three years the Woman's League of Vinita has done some effective work in cleaning up the city and improving sanitary conditions. The league is also endeavoring to secure a good city library and a county hospital.

The Sachem Club is one of the newest of the women's societies to be organized. During the past year its members have been making a systematic study of cities and city life.

The Delphian Society, founded in 1920, has undertaken a somewhat exhaustive study of the science of ethnology. Other women's clubs have at different times been organized, some of them surviving but a short time, but all possessing worthy aims and objects.

The men, too, have had their Commercial Club, Rotary Club, Red Cross and other societies which have responded to the call of service, and have been instrumental in improving social, moral and economic conditions in Vinita.

The religious welfare of the inhabitants of Vinita has not been neglected. Religious exercises were first held in 1872 in the railroad depot. In the course of a few months, an old country schoolhouse was moved into the village and used as a community meeting-house. As the town began to increase in population, various denominational societies were formed and the Methodists, Presbyterians, Baptists, Christians, Catholics and others have erected substantial church buildings and all are well supported.

During the year 1919 Craig County voted bonds in the sum of $150,000, for erecting a new courthouse in Vinita. The money derived from the sale of these bonds was well spent in the construction of a commodious county building, with suitable rooms and furnishings for all of the county officials.

Several years ago the State Legislature located the Eastern Oklahoma Hospital for the Insane at Vinita, and brick buildings were erected with sufficient capacity for taking care of 1000 patients. This institution is under the control of a competent board and superintendent and no serious complaints have ever been made against its management.

The sidewalks and lawns of Vinita are amply furnished with shade trees and three little parks have been donated to the public. A large share of the credit for these improvements is due to the efforts of the public-spirited women who have striven to beautify the city.

Vinita boasts of having a superior quality of water, much of it coming from flowing artesian wells. In 1920 the tax payers voted bonds to the amount of $460,000 with which to install a complete system of waterworks for the city. Natural gas has been piped to Vinita from the Bartlesville district and the homes, stores and shops are provided with this convenient fuel.

Several years ago the well-known Sinclair Company located one of its oil refineries just outside the western suburbs of Vinita,

which has the capacity of handling 10,000 barrels of oil per day, and its operations have added about twenty thousand dollars per month to the labor pay roll of the city.

The character and condition of the business of a city are usually reflected by the character and condition of its financial institutions. In this respect Vinita makes a good showing. Its two National banks have total deposits of $1,200,000, and its two State banks have more than a million dollars. Some of the leading financiers of the state are connected with these banks and they are noted for their conservative management.

Many of the residences of Vinita have been built through the aid of a local Building & Loan Association, which at this time has more than a half million dollars invested in the homes of the city.

Most of the towns of Oklahoma have been rather tardy in availing themselves of the benefits of home building associations but Vinita was one of the first to realize their importance in connection with city building.

Vinita maintains two good daily and weekly newspapers, The Journal and The Leader, both of which are now under the same management. The first newspaper established here was the Indian Chieftain, which appeared in 1882. It was largely devoted to the affairs of the Cherokee Nation. For many years it exercised a good deal of influence in Cherokee political affairs, but as tribal affairs became settled up and tribal councils abolished, it turned its attention to state and county affairs. Several years ago the Chieftain was absorbed by the Leader Printing Company.

CHAPTER XXXVIII

OTTAWA COUNTY

QUAPAWS—PEORIAS—MODOCS—SHAWNEES—OTTAWAS — WYANDOTTES —SENECAS—MIAMI—THE MIAMI OF TODAY—OTHER MINING TOWNS —AFTON—FAIRLAND—WYANDOTTE—CONCLUSION.

Ottawa County, located in the northeastern corner of the State of Oklahoma, is one of the most important counties of the state, both from an agricultural and mineral standpoint, and its history is unique and interesting. It has been the home of members of a greater number of Indian tribes than any other county in the United States, and strange to say, it has borne the reputation of having been one of the most peaceful, law-abiding communities, inhabited anywhere by the Indian race.

Many years ago, the United States Government, by treaties with the Cherokee Nation, obtained permission to locate the remnants of various small Indian tribes in this corner of former Indian Territory, now the State of Oklahoma, granting to each a small reservation of land. The Cherokees seem to have been more generous toward the weaker tribes than most any other Indians and the United States authorities availed themselves of this generosity by locating various small bands of Indians who seemed to be unable to find peaceful homes elsewhere.

QUAPAWS

The Quapaws were one of the most prominent of these rapidly disappearing tribes to find a home among the Cherokees. They were an offshoot of the once famous Sioux family and early history connects them with the mound builders. They were encountered by De Soto and his band of adventurers as early as 1540. During the early part of the 16th century, they migrated from their eastern home and settled on the west bank of the Mississippi

River, within the limits of the present State of Arkansas. There they were visited by the French Missionary, Jacques Marquette, in June, 1673. In March, 1682, La Salle, the French explorer, while on his trip down the Mississippi River, landed near the Quapaw settlement and took possession of the country in the name of the French King, Louis XIV. As the white settlers in Eastern Arkansas increased in number the Quapaws became restless and dissatisfied with their surroundings, although they had made considerable progress in clearing land and raising crops, and in 1824 they were induced to abandon their Arkansas possessions and emigrated to Western Oklahoma where they settled temporarily among the friendly Caddo Indians, along the banks of the Washita River.

By the treaty of 1867 they were located in the northeast corner of Indian Territory, where they remained for ten years, then joined the Osages, 100 miles to the west.

In 1893, however, they journeyed back to their Cherokee home and were granted a tract of land, bounded on the east by Missouri and on the north by Kansas, containing 56,245 acres. This tract was divided among (allotted to) 236 members of the tribe, about one hundred of whom have since died. Their band now numbers 332 individuals, many of whom still reside upon their allotments, own live stock and have become intelligent, law-abiding farmers.

PEORIAS

The Peoria Indians originally belonged to the historic Algonquian family, but as early as 1670 were found in the Mississippi Valley in Eastern Iowa. Upon Marquette's return to the North, after having explored the Mississippi Valley he found them, in 1673, located on the Illinois River, near the present site of Peoria, Ill. About five years later they became involved in a war with the Kickapoos and quite a number of them wended their way westward, sojourning for awhile in Missouri, but later, taking up their abode in Kansas. Some of them, however, retained their claims in Illinois until 1832, when, by a treaty with the United States, they surrendered their possessions there and joined their relatives in Eastern Kansas. Here they were joined by their former neighbors, the surviving members of several small tribes, the Kaskas-

kias, Piankashaws, Weas and Miamis, and by treaty of 1867 they all located in Indian Territory and were given a tract of land containing 43,334 acres, adjoining the Quapaw reservation on the South. These little tribes, some of them once powerful, had become almost entirely exterminated by disease and numerous wars, so that when finally settled upon their present reservation, they numbered in all only 393 souls. Their land has been divided among these 393 individuals and their restrictions have been removed, so that the adults may sell, lease or use their own land as they may choose. Many of them still reside upon their farms and have built comfortable homes.

MODOCS

The Modocs were Western Indians, formerly inhabiting a portion of the present State of Oregon. They were closely related to the Klamath tribe. By 1864 the white settlers were coveting their lands and they were induced to give up their reservation and unite with the Klamaths. They soon became dissatisfied with their new location and longed to return to their former reservation. The refusal of the Federal authorities to permit their return, resulted in the Modoc war of 1872 which lasted about a year and terminated in the defeat and dispersion of the Indians. At the close of this war some of the Modocs wandered back to Oregon and the remaining members of their greatly depleted band were brought to Indian Territory and were given a tract of 3,966 acres of land bordering the State of Missouri and adjoining the Peorias on the South. This land has been allotted to their individual members, about forty in number, most of whom still reside in that vicinity.

SHAWNEES

The Shawnees, during the latter half of the seventeenth century, inhabited a portion of the Savannah River country in South Carolina and the valley of the Cumberland River in Tennessee. They were next door neighbors to the Cherokees and on friendly terms with them for many years. As early as 1680 they began to be annoyed by white settlers who viewed, with covetous eyes, their fertile valley lands and very soon they began to migrate

northward, a few at a time, some of them settling in Pennsylvania, near the Delaware Indians, with whom they were closely related. About the middle of the 18th century they became involved in wars with the whites and during the Revolutionary war they rendered some assistance to the British by opposing the American pioneers, but before the close of that war, they were driven farther to the West and effected a settlement in Ohio, along the Miami River. A few years later they were forced to leave Ohio and a goodly number of them crossed the Mississippi River and settled near Cape Girardeau, Mo., while others sought refuge with friendly tribes in Ohio and Indiana. In 1825 they exchanged their claim to Missouri lands for a reservation in Kansas, where they were soon joined by their brothers who had been left back in Ohio and Indiana.

In 1845 quite a number of them wandered away from their Kansas reservation and settled in the western part of Indian Territory and soon acquired the title of "Absent Shawnees." Those remaining in Kansas moved to the Cherokee Nation in 1867 and, two years later, by treaty, were given their present reservation, and designated as "Eastern Shawnees." Their present reservation, consisting of 13,816 acres, adjoins the Modocs on the west and the Peorias on the south, and has been divided among their 160 members. Throughout their whole history, the fact is very noticeable that the Shawnees were not as closely bound together by tribal ties, as were most other Indians. They would move from place to place in bands and were never united upon one reservation, hence their power and influence as a tribe were not as great as they might have been if they had held together.

OTTAWAS

The Ottawas were Northern Indians who inhabited the region around Lake Champlain when the Pilgrim Fathers landed at Plymouth Rock, and were early known as traders, dealing in furs, hand-made blankets and mats, and medicinal roots and herbs. They got into trouble with the powerful Iroquois in 1648 and were driven across the Niagara River, stopping on the shore of the Georgian Bay in Canada. They remained in the vicinity of the Great Lakes until 1833 when they exchanged their reservation for

land in Northeastern Kansas. About this time, however, dissensions arose among members of the tribe and they were divided into factions, some going to Kansas, while others wended their way into Canada, Illinois and Oklahoma.

By treaty made in 1867 they acquired their present reservation which adjoins the Shawnees on the west and the Peoria reservation on the South. Here they were granted 12,995 acres of land which has been divided among the 270 members who located here.

WYANDOTTES

The Wyandottes belonged to the great Huron family of Indians whose ancient home was in the vicinity of the Michigan lakes. They were on friendly terms with their neighbors, the Potowatomi tribe, but at different times were in trouble with the ambitious Iroquois.

As early as 1649 they were driven out of their homes by the Iroquois and settled in Wisconsin. Dissatisfaction arose among them, and like many other tribes, they were divided into bands or factions which were scattered over the country, some going to Canada and others to Michigan.

By treaty of 1815 they were given a tract of land in Northern Ohio and Southern Michigan, but in 1842 they disposed of their possessions there and settled in the present County of Wyandotte, State of Kansas. By treaty of 1867 they were located on their present reservation in Northeastern Oklahoma, immediately south of the Ottawas, Shawnees and Modocs. They were 481 in number when they settled here and their reservation contained 29,942 acres, all of which has been allotted.

SENECAS

The Seneca Indians were originally a branch of the great Iroquois confederacy which, according to the hand book of American Indians issued by the Bureau of Ethnology, from which much of this tribal history is gleaned, were first located in Western New York and constituted the largest of the five divisions of the Iroquois confederacy. They were involved in most of the numerous wars waged by the Iroquois in colonial days and their ranks were fast depleted by family quarrels and divisions. In 1817 they were

granted a large tract of land in Northern Ohio, near Sandusky, which they retained until 1831, when they were induced to exchange it for a tract in Kansas. In 1867, by treaty they were located on their present reservation immediately adjoining the Wyandottes on the south. Their land lies in the southeastern part of Ottawa County and includes a strip off the northern end of Delaware County. It consists of 41,813 acres which has been allotted to 481 individual members of the tribe.

The restrictions have been removed from all the members of these little tribes and each adult Indian is permitted to lease, sell, or use his land as he may choose. Their farms have been fairly well developed and improved, about one-third of them being still occupied by the original allottees, the remaining two-thirds having been sold or leased to white men. The federal relations of these small tribes have, for many years past, been under the control of what has been known as the "Quapaw Agency," located near the Town of Wyandotte. Here, too, an excellent boarding school has been maintained, in which many an Indian boy and girl has been given a good common school education. For a number of years during one of the most critical periods in the history of these tribes, this agency and school were ably supervised by Mr. Horace B. Durant, now a lawyer in Miami.

The religious welfare of these Indians has been well nourished by the missionaries, who at different times have labored among them.

The religious society of Friends or Quakers has been active among them, almost from the beginning of their settlement in this corner of the state. Of the missionaries, Asa C. Tuttle and Emeline, his wife, were among the first to preach to and teach the Indians. They came to the Territory soon after the Indians began to settle here and made many converts among them.

Dr. C. W. Kirk, a missionary from Indiana, came in 1878 and labored faithfully for several years.

Henry Thorndike was another missionary who labored faithfully and successfully among these Indians for several years.

But among all of these missionaries, probably Jeremiah Hubbard, "Uncle Jerry" as he was familiarly called, was best known. He came to the Quapaw agency in 1879 and for forty years thereafter he devoted his time and energy to teaching and preaching among the Indians. He was a friend to the whites as well as the

Those satchels of samples were veritable Pandora boxes and with the glowing descriptions of the undeveloped wealth in sight, thousands of persons invested more or less of their earnings in the stock of these mining companies. As a logical result, those who combined mining experience and intelligence with their investments made fortunes, while most of the inexperienced "promoters" lost money for themselves and friends.

Today there are probably two hundred mines in actual operation within ten miles of Miami and great mountains of "chat," finely crushed rock, fifty feet high and covering whole acres of ground, indicate the immense quantities of ore which have already been extracted from the mines. It is estimated that there is a sufficient quantity of this "chat" now piled up in this field to macadamize every public road in the State of Oklahoma. Some of it has already been utilized for this purpose and it has proven to be excellent material for permanent road making. Profits in mining in this district have, of course, varied with the fluctuating prices of ore, but during the late war, some of the companies counted their profits by the millions of dollars. Practically all of this development has been confined to the Quapaw Indian reservation, although some mines have been located on the adjoining Peoria reservation. Some of the Indians have acquired fortunes through the royalties and rents received by them, one of the most fortunate Quapaws having annually received as much as $160,000 for several years, in rents and royalties.

While a number of towns and mining camps have quickly sprung into existence as the development extended northward and eastward, Miami has steadily retained the headquarters of the principal companies and has been regarded as the gateway to this remarkable mining district. The effect of the war with Germany upon this industry is shown by the fact that from the year 1916 to 1917 the value of ore produced in this district increased from five million to thirteen million dollars and the output for 1918 was still further increased to sixteen million dollars.

THE MIAMI OF TODAY

As already indicated, Miami was poorly prepared for the sudden influx of population which immediately followed the announcement of the discovery of vast deposits of lead and zinc, but

with characteristic Western enterprise its citizens got busy and they now boast of having an up-to-date city with all the modern conveniences. They now have three railroads including an interurban line which connects Miami with the towns and mining camps which have sprung up in the district.

Miami has builty twenty miles of paving; a seven story modern hotel at a cost of $200,000, with a number of smaller hotels; solid brick business blocks from two to five stories in height; a city water and sewer system costing about four hundred thousand dollars; a first class public school system including a good high school and three or four ward schools; a State School of Mines valued at $300,000, for which the citizens donated a valuable site; a Carnegie Library; two daily and weekly newspapers; a good commercial college; eight churches, well maintained; a modern fire department; a successful County Fair Association; a Country Club and Club House; the leading secret and fraternal orders and last but not least, a distinctive, intelligent American citizenship.

OTHER MINING TOWNS

The principal mining towns and camps in the mining district are: Commerce, Cardin (Tar River) Picher, St. Louis, Douthat, Quapaw, Lincolnville and Peoria. Of these Picher has made the most remarkable growth. It is located in the heart of the mining district about seven miles north of Miami. Picher is now but five years old, yet the official United States census report of 1920 gave it 9,676 inhabitants. Within its first two years it grew to be a town of 5000 people without any form of municipal government, except that by common consent its commercial club exercised a sort of quasi authority over its public affairs. In 1918 the town was incorporated and has since maintained a complete city organization. At the time of its incorporation, the miners in that vicinity were receiving wages amounting approximately to $15,000 per day. Picher has built up a good public school system, several churches, has prosperous lodges of Masons, Odd Fellows, Knights of Pythias and other fraternal orders. It has been hampered in its growth by not being able to secure title to many of the town lots, the land being still owned by Indians, who, instead of selling off their land in town lots, adopted the plan of leasing the lots at a fixed annual rental, allowing the lessees to erect their own build-

ings. Numerous substantial brick store buildings have been erected on these leased lots, the lessees hoping that at some future time, they may be able to secure title to the lots which they have improved.

The mining towns of Commerce and Cardin (now called Tar River), located between Miami and Picher, have each grown to be respectable little cities of nearly three thousand inhabitants, have established good public schools and maintain orderly city governments.

Outside of the mining district, the principal towns of Ottawa County are Afton, Fairland and Wyandotte.

AFTON

The Town of Afton is located in the southwestern part of Ottawa County on the Frisco Railroad. It is one of the older towns of this section of the state and is surrounded by a good farming community. Like many other Indian Territory towns, it has suffered from several destructive fires. In October, 1895, a portion of the town was burned but its most disastrous fire occurred during the latter part of September, 1897. This fire originated in a barn in the rear of the Afton Hotel, the property of Grant Victor. The hotel was destroyed and a strong wind from the south carried the flames northward, destroying the stores of R. A. Abney, J. R. Dawson & Bro., the printing shop of the Afton Advance, their weekly newspaper, also the stores of James Lowe, J. W. Lewis, W. H. Watkins, G. W. Edens, H. S. Hill, J. L. Blevins, F. M. Crowell, the post office, kept by J. P. Thompson, together with a number of other small stores and shops. The citizens of the town, although they had suffered heavy financial losses, did not waste much time in grieving over their misfortune, but immediately got busy, cleared away the rubbish and ruins, and in place of cheap frame structures, proceeded to rebuild the town with more substantial buildings. Afton is now a pretty little prairie city of 1800 inhabitants, supplied with good homes, substantial business houses, good churches and a good public school system.

Fairland, also, is one of the older towns of Northeastern Oklahoma, located in the southern part of Ottawa County, at the junction of the Frisco and the Kansas, Oklahoma & Gulf railroads.

Fairland is in the center of a fine agricultural section of the state and is a prosperous town of about one thousand people.

Wyandotte is another of the older towns of this section of the state. It is located on the Frisco Railroad, toward the eastern side of Ottawa County. For many years it was the principal trading point for the Indians who lived in that vicinity. It is also the railroad station for the Quapaw Indian Boarding School, which, for many years, has been located about three miles north. It is a quiet little village of 300 inhabitants.

CONCLUSION

The University of Oklahoma, in an official bulletin recently issued, shows that during the recent World war, Oklahoma ranked first in the average health of her young men; she ranked first in the percentage of over-subscriptions to the Fourth Liberty Loan; she ranked first in the percentage of collections of subscriptions to the United War Relief Fund, and in the low cost of registration, and examination of men of draft age.

The State and County Food administrations accomplished wonderful results. When Oklahoma was asked to furnish 150,000 individual pledges for the observance of wheatless and meatless days, she promptly responded with 600,000 pledges.

The work of the women was as energetic and devoted as that of the men. They worked day and night, making soldiers' kits, hospital supplies, etc., and spent much time and money in Home Service work.

Our soldier boys, white, red and black, demonstrated their bravery and efficiency on the battle fields of France to a degree unsurpassed by those of any other division engaged in the World war.

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